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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

FOR THE

EIGHTH SESSION

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF ARKANSAS,

WHICH WAS BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF LITTLE
ROCK, ON MONDAY, THE FOURTH DAY OF NOVEMBER, ONE
THOUSAND EIGHT HUNDRED AND FIFTY, AND ENDED ON
MONDAY THE THIRTEENTH DAY OF JANUARY,
ONE THOUSAND EIGHT HUNDRED
AND FIFTY ONE.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

MONDAY, November 4th, 1850.

This being the day fixed upon by the Constitution of the State of Arkansas, for the meeting of the General Assembly, and a quorum of the House of Representatives appearing at the Representative Hall in the State House,

On motion of Mr. Eaton the House came to order. Mr. Lee C. Blakemore was called to the chair and James F. Fagan acted as clerk *pro tem. pore.*

The following gentlemen then came forward produced certificates of their elections and after having been duly sworn took their seats as members of the House of Representatives for their respective counties viz:

A H Ferguson; Arkansas county,
David Chandler, James Jackson; Benton county,
H F Bailey; Bradley county,
Andrew Morton, William Russell, jr., and Harvey Stewart; Crawford county,
E W Adams, J Gordon; Conway county,
Thomas H Bradley; Crittenden county,
James Singleton; Chicot county,
B W Ayres, Tilford Denton; Carroll county,
David M Hart; Clark county,
T B Flournoy; Desha county,
Geo C Eaton; Dallas county,

Hugh Rogers; Drew county,
Gaddis E Miller, John J Walker; Franklin county,
Sam'l Billingsly; Fulton county,
A L Stuart; Green county,
E Kinsworthy, William Sissell; Hempstead county,
Sam'l A Emerson; Hot Spring county,
Simeon E Rosson; Izard county,
Harrison W Baker, Jackson S Trimble; Independence county,
J G Witherspoon; Jackson county,
Tho's S James; Jefferson county,
Oliver Basham, Sam'l Farmer; Johnson county,
Val Sevier; Lafayette county,
A J Hardin; Lawrence county,
Elliott H Fletcher; Mississippi county,
Richard Pyburn; Monroe county,
G W Forreste, P M Johnson; Madison county,
Hiram A Whittington; Montgomery county,
Isaiah Dodson; Newton county,
Tho's Armstrong, Thomas Woodward; Ouachita county,
Edmund Simpson; Perry county,
William Gilmore; Pike county,
A G Atkins; Polk county,
Benjamin Harris; Poinsett county,
James G Brewton, Charles E. Tobey; Pope county,
David W Carroll, Frederick W Trapnall; Pulaski county,
Walter E Preston, James C Tappan; Phillips county,
Ben F Embry; Prairie county,
Hammet McIlroy, Wm Mitchell; Randolph county,
Sam Leslie, Searcy county;
Colbert Coldwell, Freeman E Patrick; St Francis county,
R V R Greene; Sevier county,
James M Wills, David Dodd; Saline county,
Charles Cauthron; Scott county,
Lewis Murph, Colen L McRea, Shelton Watson; Union county,
John L Lafferty; Van Buren county,
Geo B Anderson, Lee C Blakemore, Geo Cline, Jonas M Tebbetts, Thomas Wilson; Washington county,
Perry A. Moore; White county,
Reuben Nettles, Theodore P Saddler; Yell county,

A H Imboden one of the members elect from Lawrence county was absent.

The chair announced that nominations for Speaker of the House of Representatives were in order.

Mr. Whittington nominated Jonas M. Tebbetts of Washington county.

Mr. Watson nominated T. B. Flournoy of Desha county.

Mr. Fletcher nominated F. W. Trapnall of Pulaski county.

No further nominations being made the roll was called—when the following members voted for Mr. Tebbetts, viz:

Messrs. Anderson, Ayers, Basham, Blakemore, Chandler, Cauthron, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Hart, Jackson, Johnson, Cline, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Saddler, Trimble, Walker, Whittington, Wilson and Yochum—28.

The members voting for Mr. Flournoy are

Messrs. Adkins, Bailey, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Gilmer, Harris, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—29.

Those members voting for Mr. Trapnall are

Messrs. Adams, Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Kinsworthy, Murph, Patrick, Preston, Pyburn, Singleton, Simpson and Woodward—16.

No candidate having received a majority of all the votes the chair announced that no choice had been made—

The House then proceeded to ballot a second time.

Those members who voted for Mr. Tebbetts are Messrs. Anderson, Ayers, Baker, Basham Blakemore, Chandler, Cline, Cauthron, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Stuard of Crawford, Sadler, Trimble, Walker, Whittington, Wilson and Yochum—29.

Those members voting for Mr. Flournoy are

Messrs. Atkins, Bailey, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Embry, Ferguson, Gilmer, Harris, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—30.

The members voting for Mr. Trapnall, are

Messrs. Adams, Armstrong, Dodd, Fletcher, Green, Hardin, James, Kinsworthy, Murph, Preston, Pyburn, Patrick, Singleton, Simpson and Woodward—15.

No candidate having received a majority of all the votes, the chair announced that no choice had been made. The House proceeded to ballot a third time.

Those members who voted for Mr. Tebbetts, are

Messrs. Adams, Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Hart, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Sadler, Trimble, Walker, Whittington, Wilson and Yochum—29.

Those members voting for Mr. Flournoy, are

Messrs. Atkins, Bailey, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Gilmer, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—30.

Those members who voted for Mr. Trapnall, are

Messrs. Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton, Simpson and Woodward—14.

No candidate having received a majority of all the votes the chair announced that no choice had been made. The House then proceeded to ballot a fourth time.

Those members who voted for Mr. Tebbetts, are

Messrs. Adams, Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emerson, Flournoy, Foreste, Gordon, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Sadler, Trimble, Walker, Whittington, Wilson and Yochum—30.

Those members who voted for Mr. Flournoy, are Messrs Atkins, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Gilmer, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon Wills and Watson—30.

Those members who voted for Mr. Trapnall, are Messrs Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton, Simpson, and Woodard—14.

No candidate having received a majority of all the votes the chair announced that no choice had been made. The House proceeded to ballot a fifth time—those members who voted for Mr. Tebbetts are Messrs Adams, Anderson Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Saddler, Trimble, Walker, Whittington, Wilson and Yochum—30.

Those members who voted for Mr. Flournoy are Messrs Atkins, Bailey, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Gilmer, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—29.

Those members who voted for Mr. Trapnall are Messrs Armstrong, Dodd, Embry, Fletcher, Green, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton, Simpson and Woodward—14.

No candidate having received a majority of all the votes, the chair announced that no choice had been made. The House then proceeded to a sixth ballot.

Those members who voted for Mr. Tebbetts are Messrs Adams, Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cline, Cauthorn, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Sadler, Trimble, Walker, Whittington, Wilson, and Yochum—30.

Those members who voted for Mr. Flournoy are Messrs Atkins, Bailey, Billingsly, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Gilmer, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson 29.

Those members who voted for Mr. Trapnall are Messrs Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Murph, Patrick, Preston, Pyburn, Rosson, Singleton, Simpson and Woodward—15.

No candidate having received a majority of all the votes, the chair announced that no choice had been made.

On motion of Mr. Carroll the House took a recess until eleven o'clock A. M.

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11 o'clock A. M.

The House convened.

On motion of Mr. Tebbettis, the chair appointed Mr. Roberts door keeper *pro. tem.*

On motion of Mr. Clien the House took a recess until 2 o'clock P. M.

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2 o'clock P. M.

The House convened.

Whereupon the House proceeded to a seventh ballot for speaker.

Those members who voted for Mr. Tebbetts are Messrs Adams, Anderson, Ayers, Baker, Blakemore, Chandler, Cauthron, Cline, Denton, Emerson, Flournoy, Foreste, Gilmore, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawford, Simpson, Trimble, Walker, Whittington, Wilson and Yochum—27.

Those members who voted for Mr. Flournoy are Messrs Bailey, Billingsly, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—28.

Those members who voted for Mr. Trapnall are Messrs Armstrong, Dodd, Embry, Fletcher, Green, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton, and Woodward—13.

No candidate having received a majority of all the votes, the chair announced that no choice had been made. The House then proceeded to ballot the eighth time.

Those members who voted for Mr. Tebbetts are Messrs Adams, Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Gilmore, Hart, Jackson, Johnson, Lafferty, Miller Morton, Nettles, Steward of Crawford, Simpson, Sadler, Trimble, Whittington, Wilson, and Yochum—31.

Those members who voted for Mr. Flournoy are Messrs Bailey, Billingsley, Bradley, Brewton, Carroll, Coldwell, Eaton, Ferguson, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—28.

Those members who voted for Mr. Trapnall are Messrs Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton, Walker, and Woodward—14.

No candidate having received a majority of all the votes, the chair announced that no choice had been made. The House then proceeded to a ninth ballot.

Those members who voted for Mr. Tebbetts are Messrs Adams, Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emerson, Flournoy, Farmer, Foreste, Gordon, Gilmore, Hart, Jackson, Johnson, Lafferty, Miller, Morton, Nettles, Steward of Crawlord, Simpson, Saddler, Trimble, Walker, Whittington, Wilson, and Yochum—32.

Those members who voted for Mr. Flournoy are

Messrs Bailey, Billingsley, Bradley, Brewton, Carrol, Coldwell, Eaton, Ferguson, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Moore, Rogers, Russell, Rosson, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Wills and Watson—28.

These members who voted for Mr. Trapnall are

Messrs Armstrong, Dodd, Embry, Fletcher, Greene, Hardin, James, Murph, Patrick, Preston, Pyburn, Singleton and Woodward—13.

No candidate having received a majority of all the votes, the chair announced that no choice was made.

Mr. Singleton moved an adjournment until to-morrow morning 9 o'clock—which was lost.

Mr. Adams moved that the House take a recess for half an hour—which was lost.

Mr. Tebbetts moved a recess for half an hour—which was lost.

The House then proceeded to a tenth ballot,

Those members who voted for Mr. Tebbetts are

Messrs Adams; Anderson, Ayers, Baker, Basham, Blakemore, Chandler, Cauthron, Cline, Denton, Dodson, Emmerson. Flournoy, Farmer, Foreste, Gordon, Gilmore, Hart, Jackson, Johnson; Lafferty; Miller, Morton; Nettles; Steward of Crawford; Simpson; Sadler; Trimble; Walker; Whittington; Wilson; and Yochum—32.

Those members who voted for Mr. Flournoy are

Messrs Bailey; Billingsley; Bradley; Brewton; Carroll; Coldwell; Dodd; Eaton; Embry; Ferguson; Greene; Harris; James; Kinsworthy; Leslie; Mitchell; McIlroy; McRae; Murph, Moore; Rogers; Russell;

Rosson; Stuart of Green; Sissel; Sevier; Tappan; Trapnall; Tobey; Witherspoon, Wills and Watson—33.

Those members who voted for Mr. Trapnall are

Messrs Armstrong, Fletcher, Hardin, Patrick, Preston, Pyburn, Singleton, and Woodward—8.

No candidate having received a majority of all the votes, the chair announced that no choice had been made.

Mr. Singleton moved that the House adjourn till to-morrow morning 9 o'clock a. m.

which was was lost.

On motion of Mr. Wilson, the House took a recess for half an hour.

The house convened.

The name of Mr. Tebbetts was withdrawn by Mr. Whittington at the request of Mr. Tebbetts.

Mr. Tebbetts nominated Mr. George C. Eaton of Dallas county as a candidate for speaker of the House of Representatives.

No further nomination being made the House proceeded to ballot the eleventh time.

Those members who voted for Mr. Flournoy are

Messrs Atkins, Armstrong, Ayers, Bailey, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Caldwell, Dodd, Eaton, Emerson, Ferguson, Farmer, Gordon, Gilmer, Harris, James, Johnson, Kinsworthy, Leslie, McIlroy, Mitchell, Murph, Morton, Moore, Nettles, Patrick, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tobey, Witherspoon, Wills and Watson—48.

Those members who voted for Mr. Eaton are

Messrs Adams, Anderson, Cauthron, Flournoy, Hart, Jackson, Lafferty, Tebbetts, Whittington and Wilson—10.

Those members who voted for Mr. Trapnall are

Messrs Baker, Cline, Denton, Dodson, Embry, Fletcher, Greene, Hardin, Preston, Pyburn, and Walker—11.

Whereupon the chair announced that Mr Thompson B. Flournoy having received a majority of all the votes cast, was duly elected Speaker of the House of Representatives for the term prescribed by law.

Mr. Flournoy having been conducted to the chair by Messrs Woodward and Anderson, entered upon the discharge of the duties of his office.

The Speaker announced that nominations for principal Clerk were in order.

Mr. Forest nominated Benjamin T Duval, Esq.

Mr. Wilson nominated Dr. John J. Stirman.

No further nominations being made, the roll was called.

Those members who voted for *M*r. Duval are

*M*essrs Adams, Atkins, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Bradley, Chandler, Carroll, Cauthron, Cline, Coldwell, Dodd; Eaton; Emerson; Ferguson; Flournoy; Foreste; Fletcher; Hardin; Harris; Jackson; James; Johnson; Leslie; *M*iller; *M*itchell; *M*cIlroy; *M*urph; *M*orton; *M*oore; Patrick; Preston; Pyburn; Russell; Rosson; Steward of Crawford; Sevier; Simpson; Trimble; Tappan; Walker; Witherspoon; Woodward and Watson—47.

Those members who voted for *M*r. Stirman are

*M*essrs Anderson; Blakemore; Brewton; Denton; Dodson; Embry; Farmer; Gordon; Gilmer; Greene; Hart; Kinsworthy; Lafferty, *M*cRae; Nettles; Rogers; Singleton; Stuart of Green, Sissel; Sadler; *T*rapnal; *T*ebbetts; Tobey; Whittington; Watson; Wilson and Yochum—27.

The Speaker then announced that Benjamin T. Duval having received a majority of all the votes was duly elected principal Clerk of the House of Representatives.

Whereupon *M*r. Duval took the oath of office and entered upon the discharge of his duties.

The House then proceeded to the election of assistant Clerk.

*M*r. Wills nominated James F. Fagan, Esq.

*M*r. Wilson nominated James D. Walker Esq.

*M*r. Carroll nominated W. G. Reddin Esq.

*M*r. Basham nominated Jesse S. Powers Esq.

*M*r. *M*cIlroy nominated A. C. Harris Esq.

No further nominations being made, the roll was called and the following members voted for *M*r. Fagan to wit:

*M*essrs Adams, Armstrong; Bailey; Billingsley; Bradley, Dodson; Dodd; Eaton, Emerson; Embry; Ferguson; Farmer; Fletcher; Gordon; Greene; Harris; Kinsworthy; Leslie; *M*urph; *M*oore; Patrick; Preston; Pyburn; Rogers; Singleton; Sissel; Sevier; Simpson; Trapnal; Woodward Wills; Watson, and *M*r. Speaker—32.

Those members who voted for *M*r. Powers are

*M*essrs Atkins; Basham; Brewton; Cauthron; *M*cRae; Nettles; Russell; Steward of Crawford; Sadler; Tobey and Whittington—11.

Those members voting for *M*r. Harris are

*M*essrs Baker; Coldwell; *M*itchell. *M*cIlroy; Stuart of Greene; Trimble; Tappan; and Witherspoon—8.

Those members who voted for *M*r. Reddin are

*M*essrs Carroll and Gilmer—2.

Those members voting for *M*r. Walker are

*M*essrs Anderson; Ayers; Blakemore; Chandler; Cline; Denton; Foreste; Hart; Hardin; Jackson; James; Johnson; Lafferty; *M*iller; *M*orton; Rosson; Tebbetts; Walker; Wilson and Yochum—20

None of the candidates having received a majority of all the votes the Speaker announced that no choice had been made.

The House then proceeded to ballot a second time.

Those members who voted for Mr. Fagan, are, Messrs. Adams, Armstrong, Bailey, Baker, Billingsly, Eaton, Emerson, Embry, Ferguson, Farmer, Fletcher, Gordon, Gilmer, Greene, Hart, Harris, James, Kinsworthy, Leslie, McRea, Murph, Moore, Patrick, Preston, Pyburn, Rogers, Singleton, Steward, of Crawford, Sissell, Sevier, Simpson, Tappan, Trapnall, Woodward, and Mr. Speaker—42.

Those members who voted for Mr. Powers, are,

Messrs. Atkins, Basham, Brewton, Cauthron, Lafferty, Nettles, Trimble, Tobey and Whittington—9.

Those members who voted for Mr. Walker are,

Messrs. Anderson, Ayers, Blakemore, Cline, Denton, Foreste, Hardin, Jackson, Johnson, Miller, Morton, Sadler, Tebbetts, Walker, Wilson and Yochum—16.

Those members who voted for Mr Harris are,

Messrs. Mitchell, McIlroy, Russell, Rosson, Stuart of Greene, and Witherspoon—6.

Mr. Chandler voted for Mr. Reddin.

The Speaker announced that Mr. Fagan, having received a majority of all the votes cast, was duly elected Assistant Clerk of the House of Representatives.

Whereupon Mr. Fagan took the oath of office and entered upon the discharge of his duties.

On motion of Mr. Witherspoon, the House adjourned until tomorrow morning, 9 o'clock, A. .M

T. B. FLOURNOY, *Speaker.*

TUESDAY MORNING, Nov. 5th, 1850.

The House met pursuant to adjournment.

On motion of Mr. Watson, the reading of yesterday's Journal was dispensed with.

The Speaker announced that nominations for door-keeper were in order.

Mr. Harris nominated Mr. Sutfin.

Mr. James nominated Mr. Walton.

Mr. Carroll nominated Mr. Owen.

Mr. Watson nominated Mr. Mitchell.

Mr. Morton nominated Mr. Willis.

Mr. Johnson nominated Mr. Roberts.

Mr. Wills nominated Mr. Shockley.

No further nominations being made, the Clerk proceeded to call the roll.

Those members who voted for Mr. Sutfin are,

Messrs. Baker, Billingsly, Bradley, Coldwell, Dodson, Fletcher, Hardin, Harris, Leslie, Mitchell, McIlroy, Patrick, Preston, Pyburn, Rosson, Stuart of Green, Simpson, Trimble, Tappan, Witherspoon and Yochum—21.

Those members who voted for Mr. Owen are,

Messrs. Atkins, Carroll, Cauthron, Emerson, Embry, Farmer, Kinsworthy, Lafferty, Nettles, Sissell, Sevier, Sadler, Trapnall, and Whittington—14.

Those members who voted for Mr. Roberts are,

Messrs. Adams, Armstrong, Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Foreste, Gordon, Greene, Jackson, Johnson, Miller, Tebbetts, Walker and Wilson—17.

Those members who voted for Mr. Willis, are

Messrs. Basham, Brewton, Morton, Moore, Russell, Steward of Crawford, and Tobey—7.

Those members who voted for Mr. Mitchell, are

Messrs. Gilmer, McRea, Murph, Woodward and Watson—5.

Those members who voted for Mr. Walton, are

Messrs. Bailey, Eaton, Ferguson, Hart, James, Rogers, Singleton and Mr. Speaker—8.

Those members who voted for Mr. Shockly, are

Messrs. Dodd and Wills—2.

None of the candidates having received a majority of all the votes cast, the Speaker announced that no choice had been made, whereupon the Clerk proceeded to call the roll a second time.

Those members who voted for Mr. Sutfin, are

Messrs. Baker, Billingsly, Bradley, Coldwell, Dodson, Fletcher, Hardin, Harris, Leslie, Mitchell, McIlroy, Patrick, Preston, Pyburn, Rosson, Steward of Green, Sissel, Simpson, Trimble, Tappan, Witherspoon and Yochum—22.

Those members who voted for Mr. Owen, are

Messrs. Atkins, Basham, Carroll, Cauthron, Emerson, Embry, Farmer, Kinsworthy, Lafferty, Nettles, Sevier, Sadler, Trapnall, and Whittington—14.

Those members who voted for Mr. Roberts, are

Messrs. Adams, Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Foreste, Gordon, Greene, Jackson, Johnson, Miller, Tebbetts, Walker and Wilson—16.

Those members who voted for Mr. Willis, are

Messrs. Brewton, Morton, Moore, Russell, Steward of Crawford, and Tobey—6.

Those members who voted for Mr. Walton, are

Messrs. Bailey, Eaton, Ferguson, Hart, James, Rogers, Singleton and Mr. Speaker—8.

Those members who voted for Mr. Shockley, are

Messrs. Dodd and Wills—2.

Those members who voted for Mr. Mitchell, are

Messrs. Armstrong, Gilmer, McRea, Murph, Woodward and Watson—6.

None of the candidates having received a majority of all the votes cast, the Speaker announced that no choice had been made.

The name of Mr. Shockley was withdrawn.

The House then proceeded to ballot the third time.

Those members who voted for Mr. Sutfin, are

Messrs. Baker, Basham, Billingsly, Bradley, Coldwell, Dodson, Emerson, Farmer, Fletcher, Hardin, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Singleton, Stuart of Green, Sissel, Simpson, Trimble, Tappan, Witherspoon, Whittington and Yocham—30.

Those members who voted for Mr. Owens, are

Messrs. Atkins, Carroll, Cauthron, Embry, Greene, Lafferty, Sevier, Trapnall, Wills and Mr. Speaker—10.

Those members who voted for Mr. Willis, are

Messrs. Brewton, Morton, Moore, Russell, Steward of Crawford, and Tobey—6.

Those members who voted for Mr. Walton, are, Messrs. Armstrong, Gilmer, McRea, Ferguson, Hart and James—5.

Those members who voted for Mr. Mitchell, are Messrs. Armstrong, Gilmer, McRea, Murph, Woodward and Watson—6.

Those members who voted for Mr. Roberts, are

Messrs. Adams, Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Dodd, Foreste, Gordon, Jackson, Johnson, Miller, Sadler, Tebbetts, Walker and Wilson—17.

None of the candidates having received a majority of all the votes cast, the Speaker announced that no choice had been made.

Mr. Watson withdrew the name of Mr. Mitchell.

The House then proceeded to the fourth ballot.

Those members who voted for Mr. Sutfin, are

Messrs. Atkins, Armstrong, Baker, Basham, Billingsley, Bradley, Coldwell, Cauthron, Dodson, Emerson, Farmer, Fletcher, Gilmer, Hart, Hardin, Harris, Leslie, Mitchell, McIlroy, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Singleton, Stuart of Green, Sissel, Simpson, Sadler, Trimble, Tappan, Tobey, Witherspoon, Whittington, Woodward and Yochum—37.

Those members who voted for Mr. Owens, are

Messrs. Carroll, Embry, Ferguson, Greene, Kinsworthy, Lafferty, McRea, Sevier, Trapnall, Wilson, Watson and Mr. Speaker—12.

Those members who voted for Mr, Willis, are

Messrs. Brewton, Morton, Moore, Russell and Stuard of Crawford—5.

Those members who voted for Mr. Walton, are

Messrs. Bailey, Eaton and James—3.

Those members who voted for Mr. Roberts, are

Messrs. Adams, Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Dodd, Foreste, Gordon, Jackson, Johnson, Miller, Murph, Tebbetts, Walker and Wilson—17.

None of the candidates having received a majority of all the the votes cast, the Speaker announced that no choice had been made.

Mr. Morton withdrew the name of Mr. Willis.

The House then proceeded to ballot a fifth time.

Those members who voted for Mr. Sutfin, are

Messrs. Atkins, Armstrong, Bailey, Baker, Basham, Billingsly, Bradley, Brewton, Coldwell, Cauthron, Dodson, Emerson, Farmor, Fletcher, Gilmer, Hart, Hardin, Harris, Kinsworthy, Leslie, Mitchell, McIlroy, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Singleton, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tobey, Witherspoon, Whittington, Woodward and Yochum—42.

Those members who voted for Mr. Owen, are

Messrs. Carroll, Eaton, Embry, Ferguson, Greene, Lafferty, McRea, Trapnall, Willis, Watson and Mr. Speaker—11.

Mr. James voted for Mr. Walton.

Those members who voted for Mr. Roberts, are

Messrs Adams, Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Dodd, Foreste, Gordon, Jackson, Johnson, Miller, Murph, Morton, Russell, Steward of Crawford, Tebbetts, Walker and Wilson—20.

The Speaker announced that Lewis H. Sutfin, having received a majority of all the votes given, was duly elected door-keeper of the House of Representatives.

Mr. Sutfin then took the oath of office, and entered upon the discharge of his duties

Mr. Tebbetts introduced the following resolution, to wit:

"*Resolved*, That a message be sent to the Senate, informing that body that the House of Representatives is now organized by electing Hon. Thompson B. Flournoy, Speaker, Benjamin T. Duval, Esq., Clerk, James F. Fagan, Esq., Assistant Clerk, and Lewis H. Sutfin, door-keeper, and is now ready to proceed to business."

Which was adopted.

Mr. Cline introduced the following resolution.

Resolved, That the editors of the different newspapers throughout the State, be permitted to take seats within the bar of the House for the purpose of taking minutes of the proceedings of the House as they may think proper when in open session.

Which was adopted.

Mr. Lafferty introduced the following resolution:

"*Be it Resolved*, That the rules of the last session of this House shall govern its deliberations until the committee to be hereafter appointed for that purpose shall report,

Which was adopted.

Mr. Sevier introduced the following joint resolution:

"*Resolved by the General Assembly of the State of Arkansas*, That the two Houses of the legislature elect an enrolling clerk tomorrow morning at nine o'clock and that the Senate be requested to concur herein."

On motion of Mr. Tebbetts the rules were dispensed with and the resolution was adopted.

Mr. Farmer introduced the following resolution:

"*Resolved*, That for motions and resolutions the counties shall be called alphabetically."

Which was adopted.

The following message was received from the Senate by the hand of the Secretary

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have organized by electing Hon. John R. Hampton of Union county, President; John M. Ross, Secretary; Richard Searcy, Assistant Secretary and Legrand W. King, Doorkeeper and are now ready to proceed to business.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Cline introduced the following resolution:

"*Resolved*, That the clerk furnish the necessary stationary for the use of the House."

Which was adopted.

The following message was received from the Senate by the hands of the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a resolution to raise a joint select committee to consist of two members of the Senate to act in conjunction with such members as may be appointed by the House of Representatives to wait on his Excellency the Governor and inform him that the two houses have organized and are now ready to receive any communication that he may be ready to make.

The committee on the part of the Senate are Messrs. Izard and Poindexter.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Tebbetts the House concurred in the message from the Senate.

The committee on the part of the House are

Messrs. Whittington, Witherspoon, and Coldwell.

Mr. Lafferty introduced the following resolution:

Resolved, That the Secretary of State be and is hereby requested to furnish each member of this House with a copy of the new Digest of the laws of Arkansas by E. H. English, Esq.

Mr. Woodward moved to amend by adding the "acts of the last General Assembly."

Mr. Carroll moved to amend by adding "the journals of the last House of Representatives."

Mr. Dodson moved to amend by adding the words "during the present session."

The resolution as amended was adopted.

Mr. Singleton introduced the following resolution.

Resolved, That the clerk be authorized to employ a suitable person to act as page in the House of Representatives during the present session,

Which was not adopted.

Mr. Nettles moved a reconsideration of the vote on said resolution which was carried and the vote was reconsidered—whereupon the resolution was adopted.

Mr. Morton introduced the following resolution:

Resolved, That the House of Representatives at the present session of the General Assembly of Arkansas dispense with the appointment of a chaplain to the House to be paid a salary at the expense of the State treasury and that the ministers of the Gospel of the different religious denominations residing in the city of Little Rock, be invited to attend alternately as may be agreed on by themselves and hold divine service in the Representative's Hall at the meeting of the House on Monday of each week during the present session of the General Assembly of Arkansas.

On motion of Mr. Cline said resolution was laid on the table until to-morrow morning.

Mr. Bailey moved an adjournment which was lost.

The following message was received from the Senate by the hands of the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have adopted unanimously the following resolutions:

Resolved, by the Senate and House of Representatives of the State of Arkansas, That in the melancholy dispensation which has deprived us of our amiable friend the Hon. WILFORD GARNER senator elect from the counties of Chicot, Bradley, Drew and Ashley, the country has lost one of its most useful citizens and faithful servants, and society has been deprived of one of its brightest ornaments—a man,, who in all the relations which bound him to his country, his friends and his family so demeaned himself, that while he obtained the respect and confidence of his fellow men, he won the generous opinions of his friends and the affectionate devotion of his family.

Resolved, That as a testimony of the many virtues of the deceased —the estimation in which we held him and as an expression of the sympathy which we feel in common with all who knew him we the members of this General Assembly will wear the usual badge of mourning for thirty days.

Resolved further, That a copy of these resolutions be published in the papers of this city and a copy of the same be transmitted to his bereaved family; and respectfully ask your concurrence therein.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Singleton the House concurred in said message from the Senate.

On motion of Mr. Carroll the House adjourned until to-morrow morning, nine o'clock, A. M.

T. B. FLOURNOY, *Speaker*.

WEDNESDAY, Nov. 6th, 1850.

The House met pursuant to adjournment.

The Journal of Monday and Tuesday were read and approved.

Mr. Whittington from a joint select committee on the part of the House, made the following report.

Mr. Speaker:—

The committee on the part of the House, to whom was referred the resolution directing them to inform his Excellency, the Governor, that both Houses of the General Assembly were organized, and ready to receive any communication from His Excellency that he might deem proper to make: report that they have performed the duty required by said resolution, and that the Governor has requested your committee to state that he will make a communication in writing to both Houses at eleven o'clock this day.

Which report was adopted.

Mr. James introduced the following resolution.

Resolved, That the Senate be informed that the House will be ready to receive the Senate at 11 o'clock, A. M.

Which was adopted.

On motion of Mr. Witherspoon, the House took a recess until 11 o'clock, A. M.

11 O'CLOCK, A. M.

The following message from the Senate was received by the hands of the Secretary.

Mr. Speaker:—

I am instructed to inform your honorable body that the Senate have adopted the following resolution.

Resolved, That the House of Representatives be informed that the Senate will meet them in the Representatives' Hall to-day at 11 o'clock, for the purpose of receiving a communication from His Excellency, the Governor.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Tebbetts, the House concurred in said message.

The Senate now appeared within the Representatives' Hall and were seated.

M. L. Bell, Esq., Private Secretary to the Governor, now entered and presented the following message from His Excellency:

MESSAGE

OF THE

GOVERNOR OF THE STATE OF ARKANSAS.

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

In obedience to the will of your constituents you have assembled to take counsel together, and deliberate upon measures conducive to their common welfare.

It is made my duty, by the Constitution, upon such an occasion, to present to you, and through you to the people, my views and opinions upon such questions of public policy, as may be deemed of sufficient importance to engage your attentive consideration.

I enter upon the discharge of this important duty with the sincerest pleasure, when I reflect that to your charge are committed the deepest interests of the State; that, upon you, the chosen representatives of the people, it alone devolves to reconsider past legislation, and make those alterations and amendments in existing laws, which experience and reflection may point out as promotive of the public good, as well as to enact such other laws as, in your wisdom, you may deem necessary to secure the greatest amount of happiness and prosperity for the future.

It is proper that my communications to you, as Chief Magistrate of the State, should be characterized by frankness and plain deductions from facts; and that your deliberations should be controlled alone by the organic law of the land, and your actions prompted by a sincere devotion to the interests of those whom you serve.

While the co-ordinate departments of government should be maintained independent of each other, it is most desirable that a spirit of harmony and good feeling should pervade and characterize every official relation, since upon this depends the accomplishment of much of that public good, which it is our sincere desire to effect. We should bear in mind, that, though charged with the performance of separate duties, we are the servants of the sam constituents, have the same responsibilities, and are accountable to the same tribunal, for the proper discharge of the trust confided to us.

Since your adjournment, our country has felt heavily the chastening of Divine Providence. Pestilence have swept over our land, marking its pathway with suffering and death. The hearts of the people have been filled with sorrow; families, neighborhoods, and cities, have been bowed down with grief and shrouded in mourning. There have been bereavements, too, which called orth the tears of a nation. We have been called upon to mourn for the fallen great, in the highest stations. Soldiers, statesmen and patriots, whose fame had gone forth to the world, are grouped thickly upon the record of death. And mighty minds, which were called upon to guide the destiny of the nation, have ceased to shed upon her councils the light of wisdom and experience.

Yet, amid all these visitations of suffering and death, our own State has been spared. When we reflect, that, by the interposition of a merciful Providence, this dreadful scourge has been made to pass lightly over us, our hearts should be filled with gratitude and thankfulness.

The usual degree of prosperity has crowned the labor of the husbandman. The enterprise of our citizens has been attended with success in every pursuit of life; and an active market and increased prices, have proved an adequate remuneration for partial failures in any branch of industry.

I have to congratulate you upon the prospect, under the present revenue laws, of our soon being relieved from that unfortunate system, forced upon us by necessity, of issuing treasury warrants; a system but little less unfortunate than the repudiated doctrine, that banks were essential to the collection and safe-keeping of the public revenue of the country.

Should the revenue laws, now in force, be continued, we have the hope before us, of once more seeing the revenue collected equal to all demands upon the treasury; and our debts, except those contracted on account of our banks, extinguished. In view of this desirable result, I deem it my duty strongly to remonstrate against any material change in these laws.

The aggregate total value of property, in the State, subject to taxation, on the 1st day of October, 1848, was $28,904,596; in 1850, it was valued at $34,955,885. And the revenue paid into the treasury, in 1848, was $75,174 17; and, in 1850, it was $93,540 21; thus exhibiting an increase, both of wealth in the State, and revenue in the treasury. For the two years commencing with 1st Oct., 1848, and ending with the 30th Sept., 1850, the amount of revenue paid into the treasury, was $163,110 41; and the expenses of the State, for the same period, was $135,761 46, leaving a ballance of $27,348 95, which was expended in redeeming outstanding treasury warrants, of which there still remains unredeemed, $16,259 38½; but which will be redeemed, during the next two years.

The estimated receipts into the treasury, from all sources, for the two years beginning with the 1st Oct., 1850, and ending with the 30th Sept., 1852, will amount to $201,820 75; and the estimated expenses for the same period, to $193,561 58; leaving a balance in the treasury, on the 1st Oct., 1852, of $8,259 17, with which to meet any contingency that may arise demanding payment out of the treasury.

The time appointed by an act of the Legislature, within which the Bank of the State of Arkansas shall collect her debts, and redeem her circulation, preparatory to making a final settlement of all her affairs, will expire in a little more than two years.

By information, derived from the able and elaborate report of the present Financial Receiver of that institution, we are enabled to form a very correct conclusion, as to the conduct of those who have had the control and management of her affairs in time past, and determine in what condition she will be found, upon a final adjustment of her accounts.

Judging from the facts thus presented, it requires no extraordinary degree of mental acumen, to determine that the history of this bank is but a catalogue of the grossest mismanagement and criminal negligence (to use no harsher term,) from the date of her charter, until the present time; and that heavy loss to the State must be the consequence.

To arrive at this conclusion, we need go no farther back than the date of the act of liquidation, which, as I contend, was conceived in error, and will result in misfortune. Among the numerous objections that might be urged against this law, not the least prominent is the unnecessary extension of time granted to the debtors of the bank.

It is a well attested fact, that the longer a debt remains due and unpaid, the lighter we feel the obligation resting upon us to pay it. This has been clearly exemplified in the case of the State Bank; and, in consequence of this very principle, thousands, if not hundreds of thousands of dollars, have been lost to the State. Consequent upon, and rendered necessary by, this mistaken lenity, was engrafted upon this law, another principle but little less destructive to the interest of the bank; the employment and pay of so large a number of officers.

Their salaries, though small, taken separately, (too small, in some instances, to command the most competent individuals,) yet, when taken in the aggregate, the doubt may be reasonably entertained, whether their salaries did not amount to more, than, by their agency was recovered for the bank. In some instances, these officers have been incompetent; in others criminally negligent; while, in one instance, that of Abner E. Thornton, absolutely dishonest. The evidence of their incompetency will appear upon the records of our courts, where the bank has been not only defeated in the attempt to coerce payment, but left with a heavy bill of costs to pay; again, it will appear, from their inability to so keep their books as to exhibit the transactions of the bank.

The gross negligence will be found to exist in permitting more than two hundred thousand dollars' worth of the notes due the bank, to remain in their hands, until they were barred by the statute of limitations.

The dishonesty of Abner E. Thornton is manifested throughout his whole official career, exhibiting but a series of embezzlements and forgeries. For more minute particulars, I refer to the report of the Financial Receiver of the State Bank.

I do not refer to these defects in the liquidation act, and the mismanagement under it, with any hope of correcting past errors; but that the true history of this institution may be understood; like errors and misfortunes, avoided; and, if possible, to prompt a more rigid system of collecting, in future To effect this, I would recommend that all the notes and other assets of the bank, be placed under the control of some one responsible individual, with full authority, by law, to use such means for their collection, as, in his judgment, the best interest of the bank may demand. Let this agent be authorized to employ such legal assistance as he may deem necessary, and pay such fees therefor as he may deem just and proper.

This mode of collecting I deem preferable, from the fact that there are many claims that can be collected with but little or no trouble; while there are others, the collection of which has been despaired of, if placed in the hands of able lawyers, may be collected in whole or in part. In these instances, it will be necessary to pay in proportion to the labor required.

There is now due the bank several hundred thousand dollars deemed good. These liabilities, based upon notes, bonds, and other obligations, may be realized to the bank, if the proper course be pursued in their collection.

I cannot too strongly press upon your attention the propriety of extending to these debtors of the bank no further indulgence; and that means be provided by which the State may free herself from the blighting influence of this institution, which, for years, has borne her down, cramped her energies, and paralized her efforts.

It appears, by reference to the report of the Financial Receiver, that the number of bonds issued on account of the State Bank, and outstanding and unredeemed, on the 1st Oct., 1850, was 955, and the interest due thereon, was $531,562 50, making $1,506,562 50. It also appears, that the Arkansas Bank paper, in circulation and unredeemed, on the 1st Oct., 1850, was $50,087 50; making the total liabilities of the State Bank, *one million five hundred and fifty-six thousand six hundred and fifty* dollars ($1,556,650.) It furthermore appears, that the resources of the bank, to meet these heavy liabilities, fall far short of the amount demanded, and that the loss to the State, from all the information in the possession of the proper officers, and as exhibited by their official reports, will amount to about one million dollars. And, what may appear still more strange, is the fact, that, if every dollar could be realized by the bank, that is due her, both of principal and interest, it would fall $190,000 short of meeting and paying the bonds and the interest thereon, upon which she went into operation.

In relation to the Real Estate Bank, I must confess I have no well defined policy to recommend. Two banks were chartered in this State, about the same time, and with about the same capital. They remained in operation about the same period, and suspended payment—one was placed in liquidation, by the Legislature; the other made an assignment. How the one was managed, and what will be the final result, we have seen; but, with regard to the other, we are less informed. Since the date of her assignment, the Real Estate Bank has been a sealed book to all those uninitiated in the banking operations of the present day, whether private individuals or public officers, save so far as the native politeness and gentlemanly bearing of her worthy Secretary, may prompt him to gratify the curious and enlighten the public. History, prior to this date, unfortunately, however, for the State, reminds us of a few facts in connection with this mystic monument of modern banking.

In 1836 and 1837, the State of Arkansas issued 1,530 bonds of $1,000 each, which were sold by the Real Estate Bank, at their par value; subsequently 500 other bonds for the like amount, were issued to this bank, and by her hypothecated for the sum of $122,389 77; realizing in all for the sale of these bonds, $1,652-389 77; which was to constitute her capital for the purpose of banking.

We also know, that after discounting heavily for a time, she suspended payment, closed her doors, and made an assignment of all her assets; appointed trustees to take charge of them, with a clerk to keep the accounts, and an attorney to advise and council them; and then provide for their payment.

Here the authentic history of this institution ceases. What accounts may have reached us of her transactions since, wear more the gaudy apparel of romance than the plain habiliments of reality. And, although the State has such a deep interest in the correct management and final settlement of this institution, she sets her authorities at defiance, and claims the right to close her doors in the face of her officers, acknowledging that when she shall be compelled to lay down the heavy debt which she has contracted, the State must take it up.

From the Auditor's report to the Legislature, we learn that there were outstanding, on the 1st October, 1848, bonds and interest thereon, sold by the Real Estate Bank, to the amount of $2,-195,550 00. What amount of notes was then in circulation, we are uninformed. It is fair, however, to presume, if in six years after her assignment, the bank had not absorbed her circulation, she will not, in the remaining time allotted her, under the deed of assignment, be enabled to collect in the residue of her outstanding circulation, together with all her bonds. This, however, must rest upon conjecture, in the absence of authentice information.

If this bank shall have been managed as well as the State Bank has been, (and we have no reason to presume that it has been managed better:) she will leave a debt of about one million dollars, to be paid by the State.

By this method, we arrive at a tolerably correct estimate of the amount of the *State debt*, when all the resources of the two banks shall be exhausted; and for convenience, we will set down the amount, in round numbers, at $2,000,000. In order, however, that a more authentic conclusion may be arrived at, I would recommend that you cause (if possible) a thorough investigation to be made into the affairs and condition of the Real Estate Bank, to the end that the State and the community may know her true condition. If wise counsels have prevailed, it is due to those having the management of this institution, that it should be made known. If the contrary, so much the greater reason that the State, the party most interested, should cause this investigation to be made, and steps taken to secure herself against further injury.

I have set down the State debt at two millions dollars. It may be more; it can scarcely be less. There is not a citizen, I apprehend, in the State of Arkansas, who is not prepared to acknowledge its justness, and concur with me, in saying that the State is bound, by every principle governing contracts, to use all the means in her power to pay it to the last cent. The spirit of repudiation can find no advocates in Arkansas—no resting place in the hearts of her citizens. But the disposition and the ability to discharge our liabilities, are two things; one we have—let us see what are our prospects for the other.

We possess no other source of revenue than that arising from taxation. By reference to the report of the Auditor of State, it will appear that the total amount of taxable property in the State, is valued at $34,935,885, and that an assessment of one-fourth of one per cent. is now necessary to defray the ordinary expenses of the State government; and an equal sum is levied for county purposes—making one-half of one per cent., or fifty cents on every hundred dollars' worth of property owned in the State—a tax already appressive upon the people, and submitted to, alone, from the necessity of the case. This amount of revenue, it must be understood, is consumed in the ordinary expenses of the State government; not one dollar being appropriated to educational purposes, internal improvements, or other improvements of our social or natural conditions; and not one dollar, in justice to the State, can be appropriated to the payment of the accruing interest upon our *State debt.*

To pay the interest on this debt of $2,000,000, at six per cent., rating, for convenience, the taxable property of the State at $35,000,000, would require a levy of thirty-four cents on the hundred dollars' worth of property; and to discharge the principal in twenty years, would require an additional levy of twenty-eight cents on the hundred dollars; making a levy of sixty-two cents on the hundred dollars, in addition to the sum already levied.—Add to this the amount now levied, and it would increase it to eighty-seven cents on the hundred dollars, for State purposes. Add, again, 25 cents on the hundred dollars, the amount generally levied for county purposes, a poll-tax of one dollar upon every male inhabitant of lawful age, including road, corporation, and other taxes, now collected in different portions of the State, and we have a levy of at least one dollar and fifty cents on every hundred dollars' worth of property owned in the State—a burthen too enormous to be borne by any community, and one, in my opinion, to which the people of Arkansas are at this time, unprepared to submit Should you, as their representatives, attempt to provide for its levy and collection, you would be unsustained by your constituents, I have no doubt; and the act would stand a dead letter in your statute book. The people, in self-defence, would resist its enforcement. And, were it submitted to, its inevitable tendency would be to drive every man of property from the State, and deter others from emigrating to it; leaving the conclusion irresistible, that in a short period of time, the State would be depopulated, the wealth now here would leave us, and for ever preclude the possibility of being enabled to pay this debt. I have based this calculation upon amounts in some instances assumed, as in the case of the Real Estate Bank; and the value of property in the State, for convenience, was stated at $35,000,000, when in fact, it is under that amount. All these amounts are sufficiently accurate, however, for practical purposes. I have made no allowance for the probable increase of property in the State for the next twenty years; because I apprehend the expenses of the State will keep pace with the increase of revenue under the present levy.

This is a dark and gloomy picture of our pecuniary condition; an unenviable position to assign the State—that State, too, with whose honor and prosperity is identified every earthly aspiration of my soul; upon whose fair name depends whatever of reputation and character I may have won for my self, by a life spent upon her soil and in her service. I repeat, it is a gloomy picture, which it affords me no pleasure to contemplate; and had I permitted a conviction of my duty to give way to my private feelings and State pride, I should have passed these unpleasant truths by in silence, leaving to those who shall succeed me, the unpleasant task which I have attempted to perform. Our public functionaries have too long shrunk from responsibility, acting upon the principle that "sufficient for the day is the evil thereof." The time has arrived in the history of affairs, when unpleasant results are to be made known, and misfortunes are to be looked in the face.

This exhibition of our true condition, I have deemed myself called upon to make, by every principle of good faith, which should govern a public functionary. I have attempted to state the facts connected with our indebtedness, our inability to pay the debt, and the opinon of the community touching its justness, and their disposition to pay in a plain and concise manner.

We are in debt, we acknowledge the justness of the liability, and frankly say we are unable to pay; and whatever steps may be taken upon the subject, must be left to future legislation.

In point of natural advantages, we stand unrivalled by any State or nation on earth. Our climate is pleasant and healthy; our soil unsurpassed in fertility, and adapted to the growth of those productions in which consists a nation's wealth. By their happy diversity, we are enabled, in one section, to rear abundant crops of corn, wheat and other descriptions of grain; while, in the south, we have before us wide fields of the great southern staple, as superior in quality as it is prolific in its growth. And it is only stating, what is universally conceded by all well informed upon the subject, that no country offers greater advantages to the farmer and planter, than Arkansas. Our entire eastern border is washed by the great Father of Waters; while at suitable and convenient, distances, the whole State is intersected by navigable streams bringing the advantages of commerce and navigation to the very door-steps of almost every man. In conjunction with these great natural advantages, the daily developement of mineral wealth of the State, opens a prospect inviting to capitalists and enterprising men, and must soon become a source of substantial wealth and increasing population. The investigations made, have yielded results far exceeding the sanguine expectations of the most credulous. Extensive mines, of both lead and iron ore, have been discovered in various portions of the State, equalling in richness any discoveries of a similar character; in many instances, so favorably located, with regard to navigation and facilities for working them, as to give them peculiar value. Large deposits of slate, of the finest quality, have been discovered on the Ouachita river, and elsewhere throughout the State, and are now being worked with great profit to the enterprising individual who has made the first experiment in the manufacture of this production in the State. Marble, granite, and other formations, have been discovered, which may be rendered useful for building and other purposes. Fields of bituminous coal may be found upon the very banks of our principal rivers, their extent needing but to be ascertained, to render them here, as they have ever been elsewhere, a source of great revenue. By the proper developement of these natural elements of prosperity and wealth, what is to prevent us, in a few years, from taking our position side by side with the leading States of the Union?

It has been shown, that our climate is pleasant, our soil productive, our navigable rivers more numerous and more conveniently dividing the State than can be found elsewhere, and the prospect of mineral wealth scattered over the State, from one extremity to the other, awaiting only the hand of science to point out its precise locality and ascertain its extent and quality, to enlist labor and enterprise in its developement. It is a truth incontrovertible, that wherever such advantages and inducements for profitable investment, are made known, the means and the agents to transmute them into gold, will not long be wanting.

Turn to California, acquired by this government within the last three years. With the news of her acquisition, came the story, bearing the impress of romance upon its face, of her mines and her wonderful treasures. Without a government, without laws, unable to offer protection for either life or property, to those who she invited to her bosom—yet, thousands were seen upon the march, and never, since the days of the crusades, have such multitudes been seen, moved by one impulse, as have made their way across mountains, plains, and deserts to the far off Ophir of the Pacific. If reported mineral wealth of California, remote as she is from any portion of the civilized world, with so many obstacles and dangers to surmount in reaching her, is made accessible by the hope of gain, why should we not, occupying the very centre of the most enlightened and enterprising nation upon earth, lacking not one natural element of greatness enjoyed by the most prosperous of the States—expect a like influx of population and wealth, when we shall in a proper manner make known our superior resources? If, however, we remain inactive, and treat all these valuable gifts of nature with so little consideration, as not even to bestow upon them an examination, can we reasonably expect private enterprise, having no identity with the State, or interest in her prosperity, to undertake a task deemed by our legislature either unworthy of their attention, or too gigantic to be undertaken by them?

It is your duty, as faithful guardians of the people's interests, to examine into this subject, and take such action as will present to the world our superior advantages. We must move, and that speedily, upon this subject, if we would not see ourselves a barren waste, in the midst of prosperity; an arid spot in a fertile garden. This is an age of advancement; and, unless we keep pace with it, we can but expect to be left in the rear of those States, far below us in every thing with which nature can enrich.

Believing that it is not yet too late, by a proper application of the means in our hands and the developement of the resources at our command, to take that position among the States of this Union, so much to be desired, and for which nature has manifestly designed us, I deem it my duty, as it is my pleasure, to recommend to your favorable consideration the adoption of certain measures, which the interest of the State demands.

I would recommend that speedy and efficient means be provided to procure a thorough geological survey of the State, by some man of ability and reputation. Every consideration of public policy and public expectation, demands this at your hands; because it is known, that nothing is wanting to give us the only elements of greatness which we need—population and wealth—but that our resources should be made known; and in no other way can this be so efficiently done as by causing our mineral wealth to be made known to the world in an authentic manner.

There can be no objection urged to the immediate adoption of these measures on the ground of our pecuniary embarrassment. On the contrary, I maintain, that, instead of this contemplated survey, being a drain upon the treasury of the State, it will, in the course of a few years be the source of increased revenue.—Ours is a system of *ad valorem* taxation, and, as a natural consequence, the greater the amount of property subject to taxation, the lighter the burthen must fall upon the community in collecting a given sum. This proposition I hold to be not more true, than that a thorough survey and report of the geological character of this State will attract labor and capital; thus giving us two essential elements of greatness.

By an act of Congress, approved on the 4th Sept., 1841, a donation of 500,000 acres of land was made to the State of Arkansas, by the general government, for the purpose, as it is expressed, "of aiding the State in the construction of Internal Improvements. By accepting this grant, the State made herself a party to a contract, by which she is bound to expend the funds arising from the sale of these lands, upon works of a public character, under the control, by natural inference, of the State or her agents: As a condition annexed to this grant, the general government reserved the privilege of using such public works as might be constructed, free of charge. These rights the State guarantied to her. How, then, can she comply with her engagements, if she gives up to another the entire control over this fund? True, it may be said, that the counties, in this instance, may be held by the State, responsible for the fulfillment of these obligations on her part; yet we leave it open to the supposition, that those to whose charge we have imparted this trust, may regard their obligations to us, as lightly as we appear to have done to the general government.

By reference to the concise and satisfactory report of the Land Agent, it will be seen that all the land conveyed by this grant to the State, has been located, and, with the exception of 110 79.100 acres, confirmed and title vested in the State.

Of these lands, *two hundred and ninety-one thousand three hundred and thirty-two and ninety-eight hundredths* acres have been sold, yielding to the State the sum of four hundred and twenty-five thousand nine hundred and fifty-six dollars ($425,956); of which the sum of seventy-nine thousand six hundred and sixty-two dollars and forty-five cents ($79,562 45) has been collected and passed into the treasury of the State. For further facts and details, touching this, as well as the seventy-two section fund, I refer to the report of the Land Agent, herewith transmitted.

By an act of the last General Assembly, which be came a law on the 30th December, 1848, the proceeds arising from the sales of these lands, were divided among the different counties in equal portions: and the sole and entire control given to such agents as the different countes might select, for the receipt, management, and disbursement, of their respective shares; thus abandoning all control which the State had over this fund, and as I maintain, violating both the spirit and letter of the grant.

This act of the Legislature, having gone through all the requisite forms, must be considered a settled question, so far as action under it may have gone: and I would now only question its expediency, and the propriety of longer allowing it to remain in force. How far we are enabled to judge of public opinion upon this law, from the failure of the people to hold elections under its provisions, I shall not here inquire. But it is evident that a degree of indifference has been manifested by the entire community on this subject, which forebodes no favorable results. Aside from this, it is my conviction that this law will totally fail to effect any permanent benefit even to the counties; and therefore should be repealed, or so amended as to restore the control of the fund to the legitimate authority. It is your duty, as faithful representatives of the people, to adopt such measures as will tend to improve and render available every avenue to an increase of wealth and prosperity, which you can command.

It has been shown, that ours is a State possessing no ordinary advantages, requiring but the attention of an enterprising people to be directed to them in an enlightened and scientific manner, together with such aid as you may reasonably afford, at once to insure her prosperity. Transpiring events, and the spirirt controlling and direcing public enterprise, in the neighboring States, admonish us to speedy and decisive action on our part. Other States are constructing roads, and improving their great internal facilities for inter communication, while we remain inactive. Almost every State has in operation, or in progress, some great work of Internal Improvement. We have none.—The very elements have been rendered subservient to the will of man. Long lines of telegraph may be seen stretched out from one extremity of those States to the other, accomplishing, in moments, the work of days. Yet we can boast of no attempt at such progress. We still plod along as our forefathers did, when science and public spirit lay fettered by the hand of ignorance and superstition.

By enlightened legislation, and a wise system of Internal Improvments, the extremes of some of the largest States have been brought together, and their varied interests identified. Yet, different sections of our State are as far asunder, and their local interests continue almost as distinct, as when, centuries ago, it was only known as the hunting ground of the Indian. This is a dark and mortifying picture of our condition; but it is my duty to present it to you undisguised. It is your province to give it brightness and beauty.

The system of distribution, as it now exists, cannot, in my opinion, effect any permanent good. The law providing for the disbursement of this fund to the counties, provides for the election of five commissioners, in each county, making in all, two hundred and fifty-five, who shall receive one dollar for each day they are in session, "besides the expense necessarily incurred in the discharge of the duties of their offices"—allowing them to be the sole judges of the time they are to remain in session. In addition to this, one of their number is to be elected treasurer, who will receive, not only the compensation allowed him as commissioner, but one and a half per cent. on the dividend paid to his county. This fund may be loaned out, and how much will be lost by bad debts, and other casualties, we may safely infer from observations upon other pecuniary transactions. When it becomes necessary that this money so loaned, must be collected, by an attorney, he, too, must be paid; overseers and agents, surveyors and engineers, in each county, must be paid. Locating Agents have been paid by the State for selecting the lands; a Land Agency, has been, and must be, kept open, and the agent paid; a State Collector is employed, and must be paid; to say nothing of the amount spent litigating in the different tribunals, from the Justice of the Peace to the Supreme Court, in the form of fees, to justices, constables, clerks and sheriffs. Investigate the character of this fund, so distributed, and trace it in all the perils and dangers of its way through the hands of more than four hundred public officers, lawyers and agents, and you will discover that, slowly, if you choose. but surely, it will melt away at every stage of its march, from the Land Agent, first employed, to the laborer upon the public works. Then tell me how much will ever reach its intended destination, and what good, in the form of Internal Improvements, can ever result, either to the State or counties?

The fund, at best, is small—sufficient, however, to do much good, if kept together, and wisely disbursed—but, when divided among the counties, and diminished by the payment of such a host of officers, with all the incidental expenses and losses to which it will be liable, it is so reduced that the amount realized, by each county, will be too inconsiderable to render useful improvements practicable. If objects of importance be commenced, the fund will be exhausted before they can be compeled; the works will fall into ruin for the want of means to finish them, and keep them in repair; and thus the ultimate tendency of this system is plainly manifest.

In view of this state of facts, I have deemed it my duty, urgently to recommend the repeal or material modification of the law passed at the last session of the General Assembly, on this subject, so that this fund may again become a *State fund*, and be disbursed under the direction of her agents, upon works of a public character, and in accordance with the spirit and meaning of the grant.

To the objection urged against a general system of Internal Improvements in this State, that some particular sections may derive immediate advantages, to the exclusion of others, it may be answered, that those counties or neighborhoods receiving the least benefit under a State system of improvements, would derive far more than the most favored could expect, under the system now in operation. Every improvement resulting in the welfare of the State at large, inures indirectly to the different counties; and should the State derive the advantages claimed for her, by the system now recommended, the amount, in dollars and cents, saved to each county, by the decrease of taxation, will, in a few years, exceed ten-fold, the amount now due them out of the Internal Improvement fund.

The proposition is clear to my mind, that, should our rivers be improved, roads constructed through the State, commencing at the most eligible points, and our mineral resources properly developed, our population will increase to such an extent that the most reluctant will be forced to yield the point against the distribution policy. Population and wealth are necessary to constitute a great State; and I hold, that, under the present system, we cannot expect the one or attain the other, while, by a judicious policy on your part, we may secure both.

There can be no higher or more holy obligation resting upon the law-making power, than the encouragement of Education. Under our form of government, and the peculiar institutions established among us, this is a duty, the neglect of which is not only an omission, but a positive wrong—a flagrant neglect of one of the most important trusts confided by the people to their representatives. We regard it as a principle incontrovertibly true, that the safety and advancement of every country depend upon the education of the people. The legislator who can permit a generation, into whose hands the reins of this government must pass, to grow up without enjoying the opportunities of obtaining an education, which might have been afforded by the law-making power, entails upon himself a fearful responsibility.

In view of these facts, the General Government donated to the State of Arkansas seventy-two sections of land, "to aid her in establishing and endowing a Seminary of Learning." In January, 1846, Congress, in compliance with the memorial of the Legislature of Arkansas, passed an act placing these lands at her disposal; and, under the sanction of this law, an act was passed by the last General Assembly, distributing this fund to the counties, for Common School purposes; thus for ever abandoning the scheme of a State Seminary, and placing all the means donated to the State, for that purpose, beyond her control. A more unwise and injudicious act never, perhaps, found favor in the sight of any deliberative assembly. I deem it unwise, because I conceive no other plan than that at first contemplated by Congress, can at present be made available in our State, for an extended system of education.

All experience proves that the Common School system, when attempted in a country so sparsely populated as ours, has failed. This has been the result even where the fund was large, and accumulative. What, then, must be the inevitable result of the experiment we are about to try, when our fund is a mere pittance, at best, and must grow less? To prove this, I need only refer to such older States as Kentucky, Tennessee, &c.

The fund undivided, was small; but, by prudent management, sufficiently large to render efficient aid in the establishment of one, or, perhaps, two or three seminaries, at different points in the State. But, divide it into fifty-one parts, and you give to each a poor pittance, useless for any purpose whatever; and, as a natural consequence, must be speedily consumed, without the accomplishment of the least possible good.

I furthermore entertain the firmest conviction, that the amount of means necessary to educate all the children in Arkansas, under the common school system. would be sufficient to instruct the children in either of the New England States; for the reason, that there, where they have had seminaries of learning in successful operation for years, the whole community is filled with thoroughly educated men, prepared to take the place of teachers, and, as a consequence, can be employed much cheaper than here; together with the fact, that as common schools are to be established, in some degree, with reference to the geographical extent of the country, a large State, like ours, would require a greater number of schools to bring their benefits within the reach of all, than would be necessary in a smaller State though more densely populated. If I am correct in this, now futile will be the attempt to follow in the foot-steps of those old States, which time, and a previous system of mental training, have prepared for the success of such a mode of education—when they have millions where we have thousands—where almost every young man has been prepared in such seminaries for the occupation of a teacher—when we neither have educated young men who will devote themselves to such a pursuit, nor the institutions to prepare them?

In all thinly settled countries, the people must, in a great measure, rely upon private enterprise for the rudiments of education; and, as I conceive, all you can, at this time, do for the cause of education, is to establish one or more seminaries of learning, offering the advantages of a liberal education to those who may desire it; and let the means at your command be disposed of in such a manner as to reduce expenses, as much as possible, and thereby bring its important advantages within the reach of the greatest number. By this means, we will have the seeds of intelligence sown in every neighborhood in the State, and the public mind will be prepared to foster and assist every effort to promote a cause so important.

Entertaining these views, I cannot too strongly recommend the propriety—the almost absolute necessity—of chartering and taking under the special care of the State, one or more Seminaries of Learning, at some point or points the most suitable in the State. If means cannot otherwise be obtained, repeal the law passed at the last session of the Legislature, distributing the proceeds of the sale of the seventy-two sections of land.

I know this system will meet with some objections. What human institution will not? We are told, without the slightest warrant of authority, "that Little Rock must, of course, be the location of the proposed institution; and that it may stand there a monument of State pride, and an ornament to the city, but that no practical good will result to the people." To this I answer, if you can consent that your actions, as representatives of the people, shall be controlled by such feelings as these, I fear the time has not yet arrived when we may look with confidence to the Legislature of our State, to raise the dark curtain of ignorance that has so long hung over us, stifling every effort at mental, moral and political advancement. This Seminary need not be at Little Rock; and you cannot establish and keep it in existence, without its being productive of immense good.

Finally, should we apply the rule of dollars and cents in testing the correctness of this, as we have of other principles, the great necessity of the existence of some system of education within our own State, will be manifest.

The immense sums of money borne away from this State, annually, and poured into the lap of foreign institutions, if kept at home, would, in a few years, be sufficient to educate, free of charge thousands, who must now go uninstructed.

These three subjects—a Geological survey of the State—the establishment of a general system of Internal Improvement—recommending the repeal of the distribution law, and a system of education to be established, to effect which the repeal of the law distributing the seventy-two section fund is contemplated—when taken separately, are of the first importance to the people; but, combine them as a whole, and their adoption or rejection becomes but another name for the prosperity or degradation of the State.

Since your adjournment, the Penitentiary has been, in part, destroyed by fire. Two of the convicts, who had succeeded in making their escape from the cells, in which they were confined at night, communicated fire to the roof of the main building. The contractor and those in his employ, made every effort to arrest the flames, but in vain, until all the combustible materials about the building had been consumed. It may admit of doubt whether, with proper vigilance and precaution, this misfortune might not have been prevented. The strictest vigilance should be required of those having charge of this institution, as the slightest relaxation of discipline will endanger the lives of those in charge, and involve the State in pecuniary loss. For further and more minute details of this affair, together with the management and operations of the Penitentiary, I refer you to the report of the Superintendent, herewith transmitted.

The contractor, upon his own responsibility, has re-covered a portion of the building, in order to preserve the walls and cells, in which the prisoners have been, from necessity, confined, from the injurious effects of exposure to the weather. It will be for you to determine what compensation he shall receive for his labor and expenses in this particular.

In September last, a portion of the prisoners revolted, and attempted to escape. The movement was discovered in time to be arrested. These frequent attempts to escape, by revolts and destroying the buildings, can be attributed to no other cause than the insecure condition of the buildings, tending rather to invite revolts and insubordination, than to discourage them, by cutting off all hope of escape. To continue this institution, under such arrangements as have heretofore existed, cannot fail to fix the Penitentiary, for all time to come, as a constant drain upon the treasury, and would seem to evince an absence of any thing like prudent legislation. This has been the case since the day of its establishment, and will continue so to be until different counsels prevail, and a method more fixed and determinate shall have been adopted. The buildings have been of a temporary and inferior class, and the appropriations so made and directed, as to authorize the expenditure of large sums of money to very little purpose

The Penitentiary system, in my opinion, must be abandoned, in justice to the State, or something resolved upon more substantial in its character. We cannot pursue the former course, without turning out upon society a band of desperate and reckless men, who will, in all probability, return to their career of crime. Then, as the only alternative, liberal appropriations must be made, and efficient means adopted, to rebuild the institution, either anew, or by reconstructing it upon a more liberal plan, thereby placing it beyond the power of the inmates, either to destroy the buildings, or to make their escape.

I have not ceased to hope that the Penitentiary can be rebuilt and conducted in such a manner that it will no longer remain an expense to the State, but, in time, become a source of revenue.

In relation to the pardoning power, I have deemed it my duty, under circumstances as they have been presented to me, to exercise it in but two instances, where the convicts had any length of time to serve; and in two or three instances, where their term of imprisonment was about expiring, after having conducted themselves well, in order that they might be restored to their rights as citizens. I have deemed it my duty to exercise this right, under a very humane provision of the Constitution, thus seldom, under the conviction that the proper tribunal to determine the guilt or innocence of an individual, is a jury of the country, and when they have, with all their sympathies enlisted on the side of mercy, pronounced a verdict of *guilty*, I feel no disposition to interfere with their finding, unless in cases of manifest injustice.

Within the last quarter of a century, the character of legislation has materially changed. The spirit that once guided and controlled the law-making power, no longer obtains. *W*hen the privileged few legislated for the many, the debtor was at the mercy of the creditor.—He could control his property, incarcerate his person, and starve his family; and never was the strangling grasp of the relentless creditor, weakened upon the throat of the unfortunate debtor, until, by the aid of reason, directed by the light of science, the masses were upraised nearer to a level with the moneyed few, and taught that, as governments were supported by them, they had a right to demand just such a government as would best protect and guard their interests.

Much was obtained for the people at the organization of our Federal and State Governments. Much more has been obtained since. Then the people were thought competent to select a few of their officers. Many were selected for them, upon the principle that they knew not what suited them best. This monstrous political heresy has been successfully assailed and overthrown. Many of the States, and ours amongst the number, have evinced a disposition to concentrate all power in the hands of the people, as its only legitimate resting place. Believing, as I do, that we are better governed by the many, than we have ever been by the few, I would recommend that the Constitution be so amended as to require every State and county officer to be elected by the people. Experience proves that wherever this policy has been adopted and fairly tested, it has worked well.

The doctrine of imprisonment for debt has been exploded and no longer remains a disgrace upon our Statute books, and a blot upon the records of our courts of justice. In this, much has been gained in the cause of human rights.

The time was, when one-half, and that the fairer, were utterly unknown in the scale of political being. They had no rights, either personal or political, in the eyes of the law. The wife and all she might possess became, upon marriage, the property, the mere chattel, of the husband, who was expected to control, feed or starve her, as he chose; all under the sanction of the laws of her country. This state of things, for the sake of humanity and common sense, I rejoice to say, no longer exists among us. Our wives and mothers are more elevated in the scale of being, and stand now in the eye of the law, upon a higher platform than our slaves and our horses. Upon these subjects we have made considerable advancement—have kept pace with the improvements of the age. But there remains one other subject, equally important in its character, and as imperious in its demands upon your attention and consideration, as these—I allude to the policy of exempting the home of every man, together with the necessaries of life, from execution. True, the prison doors have been closed, and no longer stand the instrument of oppression in the hands of the malignant creditor; the civil authorities can no longer be made instrumental in crushing and ruining the unfortunate debtor. You, have secured to the married female certain rights, and assigned her a place in society more worthy of her; but you have left the unfortunate debtor still dependent upon the mercy of the unfeeling creditor, for the support of his family.

The debtor is required to pay, to the uttermost farthing, what he may owe; yet, by the operations of the law, he is deprived of every means of complying with this requirement. His home, his fields, his privilege of laboring with the prospect of gain, his means of producing, are taken from him. Yet, he must comply with the harsh demands of the law.

I would recommend the passage of a law, exempting from execution the home of every man, including such an amount of land and other property, as may afford a maintenance for himself and family. While this policy cannot be questioned, when taken in connection with individual rights and interests, it is vastly more important in a national point of view. It is our nature to love what we possess; and, as the permanency of all free governments, like ours, depends upon the attachment, the love, which her citizens bear for her, it should be the first policy of the government to secure to the greatest number possible, a home—a personal interest in the soil. In no other way can the nation secure the firm and enduring affection of the people to a greater extent. This home should be so guarded and protected, that no misfortune or act of its owner, other than a voluntary relinquishment, could deprive him of it. I submit this subject for your consideration, with the firmest conviction of the correctness of its policy, and the propriety of its adoption.

By examining into the laws, providing for the collection, safe-keeping, and disbursement, of the public funds, they will be found greatly defective, and inadequate to protect the State against peculation and fraud. The Auditor's office should, at all times, exhibit a full statement of every transaction involving the pecuniary interest of the State. The books in this office should ever stand a sure and prompt detector of errors and misconduct in other departments, having control of the public moneys. The checks and restraints thrown around the public officers, amount to a very uncertain protection of the State against unfaithful agents. Neither the treasurer, or other officers charged with the collection of public money, should be authorized to consummate any settlement for the receipt of moneys due the State, without first causing to be filed a full statement of the whole transaction in the Auditor's office; nor should any receipt, given by the treasurer or other officer, for money due the State, unless filed with the auditor, be evidence sufficient to charge such officer with the same, or release the party from his liability.

The greatest attention should be given to this subject, and the most rigid investigation had into all public transactions. Good policy demands that all public officers should be held to a strict accountability.

It is not unfrequently the case, that assessors fail to "make out and return" their assessment lists within the time prescribed by law which always produces great confusion in the auditor's office, and great fiscal derangement, and often pecuniary loss, to the State. Under section 31, of chap. 139, of the Digest, a failure to return the assessment list by a given day, operated as a forfeiture of office; and it was made the duty of the Executive to declare the office vacant, and proceed to fill the vacancy as the law might prescribe.

An attempt was made to enforce this law. An appeal was taken to the Supreme Court, and, by a course of reasoning perhaps understood by the learned Judges themselves, a point, involving this principle, was determined unconstitutional. If this decision be correct, necessity and the public interest demand a change of the Constitution, so that all objections to its rigid enforcement may be obviated. If, however, there exist no constitutional objections, as is the prevailing opinion, some method should be devised by which the State shall have the benefit of its salutary provisions. Without some such law, the revenue will not, indeed, cannot be collected.

Other valuable suggestions are contained in the able and comprehensive report of the Auditor, to which I invite your attention, and ask for them an attentive consideration.

The last Legislature repealed the law prescribing the time of holding the election for members of Congress. The Census is now being taken, preparatory to a new apportionment. From the best information I can obtain, this State will be entitled to two members in the House of Representatives. In connection with the action you may deem necessary on this subject, you will provide for such a contingency, and so district the State, that each division may be as nearly equal in population as circumstances will permit.

A law was passed at the last session of Congress, granting to the State of Arkansas, all the swamp and overflowed lands, made unfit thereby for cultivation, within her limits, remaining unsold on the 28th Sept. last. If the construction is given to this law, which its language would seem to warrant, it is truly a valuable donation.

The action upon this subject has been so recent that I have been unable to form, in my own mind, any well digested system of operation, which I would be willing to recommend for your adoption. I leave you to take such action on the subject as the interest of the State may demand.

Could I, consistently with a sense of my duty, close this communication without reference to questions of a national character, or other subjects than those immediately connected with our domestic interests, I would here gladly conclude. Nothing but considerations of deep moment, involving results of vital importance, could induce me to divert your attention for a moment from those great questions of home policy, so imperiously demanding action at your hands.

But the question of slavery, which has for months agitated this nation, from one extremity to the other, presents an issue for reflection and decision, alarming in its character, and more urgently requiring calm and serious deliberation, than the most weighty measures of State policy.

The people look to you, as the representatives of the State, for security and protection. And the State, upon her part, must depend upon the General Government, in a great degree, for the enjoyment of many of those advantages essential to her prosperity. The mutual rights of the State and Federal Governments, should be most scrupulously regarded. Should the general government attempt to usurp authority, and exercise powers, not granted to her, derangement and confusion must inevitably result. So, when the States interfere with jurisdictions strictly national, the ability of the government to protect the interests for which she was created, is weakened. There is a power inherent in the States, with which they have not, and cannot, part, to rebuke and arrest every attempt, on the part of the General Government, to transcend those limits assigned her by the Constitution. The States may exercise doubtful powers, when the common welfare demands it; because they are independent of all controlling powers. Not so with the general government. Her pathway is marked out, and her duties defined. She cannot deviate from the one, or transcend the other, without being guilty of usurpation.

When the sovereign States, now composing this nation, by mutual agreement, consented to part with certain of their powers, to be exercised by a General Government, in order that they might obtain that strength, ever resulting from a harmonious union of resources, it cannot be contended that they did not retain the power to annul that Union, to abrogate the compact, which bound them together, whenever the *Union* failed to answer the ends for which it was established. The States must be sovereign, or they are dependent; if the former, we may boast of a republican and free government. If the latter, we may expect a despotism more absolute than the Autocracy of Russia.

The question must now be determined. The contest thus far has resulted in favor of central power. It is time our position should be known. As the South failed to obtain her rights, by inaction and delay, so may we be robbed of our independence, by like procrastination. The union of the North with the General Government, upon the slavery question, presents a formidable alliance against us, requiring us to do battle, not only for our rights of property, but for our very existence as a *Sovereign State.*

Our right to hold property in slaves, is clearly recognized in the Constitution; and the right to regulate and control that property, is reserved to the States. Yet Congress, by her action, has evinced a disposition to wrest that controlling power from their hands; and, when the plain provisions of the Constitution are placed before her, a "*higher law*" than this, is declared to exist. True, there may be but few who are willing to avow this monstrous doctrine. So it was upon the subject of abolition, but a few years since. Now, a majority of this nation, if we may judge by the action of Congress, upon the admission of California into the Union as a State, entertain these sentiments, and act accordingly.

California was acquired by the blood and treasure of the North and the South, jointly; and both the slave-holder and the free-soiler held an equal interest in the acquisition. Each had the same right to remove there, and take every species of property recognized by the Constitution of the United States. Yet the federal executive, in the absence of all law and precedent, supported by northern abolitionists, has thought proper to incite a few adventurers and aliens, to go through the miserable farce of holding a Convention, and forming a Constitution, to the end that he might be extricated from a labyrinth of conflicting pledges, disreputably made to secure the Presidency, and that slavery might be for ever excluded from her limits. True, this exclusion is contained in the Constitution of California, and while we would concede the right of her Convention, had it been convened in accordance with law and precedent, to incorporate such provisions in her Constitution as her interests might demand, we deny the right of the General Government to effect, by management and trickery, what she could not accomplish by fair and direct means.

But, the deed has been consummated, and, however unjustly it may operate upon the South, the question may well be asked, whether we now have the means of redress within our power? The time was, when, had the South presented an unbroken front in the demand of her rights, she could have secured them. But, by divisions in her ranks, this period was suffered to pass. If we could not unite in opposing wrongs, when only threatened; if we could not prevent the admission of California into the Union; how can it be expected that we would unite in redressing those wrongs, when they have received the sanction of law? Can we deem it possible to drive California from the Union, or coerce her to admit slavery within her limits? If not, what could we possibly gain by resistance? How improve our condition by agitation? We must submit to this wrong, learn wisdom from the past, and in future meet and repel aggressions at the threshold. It is easier to resist threatened danger, than redress existing wrongs.

But, there is another movement, more alarming in its character and destructive in its tendency, than all its kindred spirits of oppression. Although it is a blow aimed at the South and southern institutions, it may, if unchecked, fall with equal force upon every State in the Union. I allude to the doctrine contained in the Message of President Filmore, threatening Texas with the military force of the United States. A more high handed usurpation of power was never attempted by despot or tyrant. We may search the Constitution in vain for a semblance of power authorizing the President of the United States to invade the soil of one of the States, armed with the military force of the Union, to enforce submission to a disgraceful dismemberment of her territory, or the settlement of any other question. This is neither a mere abstraction nor a consummated wrong, but only threatened, and yet, to be matured and enforced to our utter annihilation as sovereign States. Should Texas, in her wisdom, exercise her right to refuse the propositions made by the General Government, for the settlement of her northern boundary, a conflict between Texas and the army of the United States, is inevitable. In this event, what course shall we pursue? What position shall we occupy? Is there a man in the State of Arkansas, who could hesitate a moment in determining the proper course, or who would not be found on the side of Texas, doing battle for the cause of the South, the doctrine of State sovereignty, and the Constitution as it came from the hands of the men who framed it? The cause of Texas, in this conflict, must be the cause of every southern State—of every man who acknowledges the doctrine of the independence of the separate States. Self-defence will prompt us to meet and resist this encroachment, and all federal usurpation. Permit Texas to be crushed and borne down by the strong arm of Federal power, and what security have we that the same fate may not soon befal us? Concede the right of the President of the United States, to use the Army and Navy against one of the States of this Union, and the contest between the Federal and State governments is at an end for ever, and there is no barrier to stay the President from crushing in detail every State in this Union which might dare to resist his march to supreme control. Let but one blow be struck, in execution of the disgraceful threat of the Executive, and you may no longer talk of the Constitution or the Union. No earthly power can preserve them. They will not be worth preservation. I am no disunionist. But, rather than yield this principle, and concede the power to the General Government to enforce obedience to her unjust laws, at the point of the bayonet, I would say *dissolve* the Union, for there can be no security under it.

I deem it your duty, as representatives of this State, to give an expression of your views upon these questions, that whatever moral weight they may carry with them, may be felt upon the side of State rights, and southern interests.

The Fugitive Slave Bill—one of the series of measures passed by the last Congress, and the only one in which the rights of the South were regarded, is meeting with warm and determined opposition at the North. An effort will be made to procure its repeal. Should it prove successful, the South can no longer, with honor to herself, maintain her present relations with the North. The repeal of this act is an undisguised declaration of the feelings and determination of the North; and he is a madman who can longer look for justice, or an observance of our rights, at their hands. The repeal of this act should be made to terminate the contest, and secession adopted as the only remedy for the evil.

In view of existing facts, we should take a position, if possible, calculated to prevent a state of affairs so calamitous. But, failing in this, let us be prepared for the impending crisis.

We have, in the South, every production requisite for either comfort or luxury—every facility for manufactures—in a word, the North, so arrogant and unjust, with her despotic and unscrupulous majority, is comparatively unnecessary to the prosperity of the South.

But, however superior may be our advantages, and however sure inevitable ruin to the North would follow a separation from us, who could rejoice to see it? What conceivable advantage that we might realize, would repay us the loss of the Union?

It should be our policy to pursue that course best calculated to preserve undisturbed those political relations upon which our unity was based. If the course of the North remains unchanged, these relations cannot long be maintained. The North should be taught the importance of this Union, before it is too late for her to profit by the lesson, by the establishment, as far as practicable, of a southern non-intercourse system. Let this spirit be encouraged by legislative action; let the southern people act upon it; stimulate southern enterprize; inculcate a southern spirit in our young men, by educating them at home; let a portion of the capital now employed in producing the raw material, be invested in its manufacture; let southern merchants purchase of southern importers, and thus encourage southern commerce; let every thing be southern; let southern capital be employed in improving the natural resources of the South; let us refuse to purchase their fabrics, their granite, or their ice, and causes have failed to produce their legitimate results, if soon a different spirit does not pervade the North, and find its way into the halls of Congress.

How long can Northern manufactures flourish, when the South shall withdraw her patronage? She cannot manufacture, profitably, unless we purchase her fabrics. She cannot produce the raw material. Then the South can enter the lists, as manufacturers, with advantages worthy of consideration. If the whole South will unite on this subject, the time is not remote when we shall cease to have cause of complaint against our Northern brethren. A party will spring up in the North, who will repudiate a policy to them so certainly destructive, and who, to recover their commercial standing and greatness, will be forced to drive from the councils of the nation all hypocritical, canting fanatics, and fill their places with statesmen and patriots. Self-interest, if not love for the Union, will prompt this movement, when they behold, in our determined and persevering non-intercourse, the blighting effects of its operations upon their country, and the decay and ruin that will pass over their cities.

We have the power to secure ourselves from further encroachments of the North, to preserve the Constitution, and perpetuate this Union in all its purity; surely these are things worthy of your highest consideration.

In accordance with a law passed by the last General Assembly, I have received, and caused to be printed, the official reports of the Auditor and Treasurer, the Financial Receiver of the State Bank, Land Agent, and Commissioner of the Penitentiary; all of which will be furnished, when it may suit your convenience to receive them.

JOHN SELDEN ROANE.

EXECUTIVE OFFICE,
LITTLE ROCK, ARKANSAS,
November 5th, 1850.

The message having been read the Senate retired from the Representatives' Hall.

Mr. Adams introduced the following resolution:

Resolved, That on to-morrow morning the House of Representatives proceed to elect a Chaplain, who shall, each morning, open the House with prayer.

Mr. Carroll moved to lay the resolution upon the table indefinitely.

Mr. Fletcher called for the ayes and noes on the motion of Mr. Carroll which was sustained.

Those voting in the affirmative, are

Messrs. Ayers, Basham, Bradley, Carroll, Chandler, Denton, Dodson, Dodd, Farmer, Foreste, Hardin, Johnson, Leslie, Miller, Mitchell, McIlroy, Morton, Russell, Steward of Crawford, Stuart of Green, Sadler, Tobey, Walker and Watson—25.

Those voting in the negative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Bailey, Baker, Billingsly, Blakemore, Brewton, Coldwell, Cauthron, Cline, Eaton, Embry, Ferguson, Fletcher, Gordon, Gilmer, Greene, Hart, Harris, James, Kinsworthy, Lafferty, McRea, Murph, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Singleton, Sissel, Sevier, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Witherspoon, Whittington, Woodward, Willis, Wilson, Yochum and Mr. Speaker—48.

So the motion was lost.

Mr. James offered the following substitute.

"That a committee of four be appointed to wait on the Clergy of this city, and request them alternately to open the sessions of this house with prayer."

Which was rejected.

The resolution of Mr. Adams was then taken up and adopted.

The following message from the Senate was received by the hands of the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have amended the resolution of the House of Representatives fixing to-day at nine o'clock to go into the election of Enrolling Clerk, by striking out the words "nine o'clock to-day" and inserting in lieu thereof the words, "on Thursday at 10 o'clock, a. m." and have concurred in the resolution as amended and respectfully ask the concurrence of the House of Representatives to concur in the amendment of the Senate.

JOHN M. ROSS.
Secretary of the Senate.

Mr. Whittington introduced the following resolution.

Resolved, That a committee of five be appointed to act with such committee as may be appointed on the part of the Senate to draft and report such rules and joint rules as may be necessary for the government of the two Houses of the General Assembly during the present session.

Which was adopted.

Whereupon the Speaker appointed Messrs. Whittington, Anderson, Tebbetts, Carroll and Preston, as such committee.

On motion of Mr. Leslie the House adjourned until 9 o'clock to-morrow morning.

T. B. FLOURNOY, *Speaker.*

THURSDAY morning, Nov. 7th 1850.

The House met pursuant to adjournment.

On motion of Mr. Morton the reading of the jonrnal of yesterday was deferred until to-morrow morning.

Mr. Speaker announced the following standing committees for the session to-wit:

On Elections.—Messrs. Witherspoon, Farmer, Hardin, Gilmer, Gordon, Moore, Emerson, Tobey and Mitchell.

On Ways and Means.—Messrs Watson, Fletcher, Denton, Steward of Crawford, Saddler, Murph, Cline and Harris.

On Public Buildings.—Messrs. Tobey, Foreste, Mitchell, Dodd, Anderson, Morton and Cauthron.

On Banks.—Messrs. Bradley, Rogers, Embry, Walker, Blakemore, and James.

On Auditor's and Treasurer's books.—Messrs. McRae, Wilson, Rosson, Sissel, Leslie, Pyburn and Johnson.

On Judiciary.—Messrs. Trapnall, Tebbetts, Coldwell, Woodward, Witherspoon, Preston and Tappan.

On Enrollments.—Messrs. Tappan, Denton, Whittington, Jackson, Singleton, Russell, Basham and Nettles.

On Agriculture.—Messrs. Ferguson, Johnson, Lafferty, Kinsworthy, Miller, McIlroy and Sissel.

On Apportionments.—Messrs. Carroll, Tibbetts, Coldwell, Sevier, Rogers, Patrick, Woodward, Trapnall, Brewton and Watson.

On Education.—Messrs. Coldwell, Bailey, Adams, Trimble, Tobey, Greene, Laferty and Patrick.

On Militia.—Messrs. Eaton, Chandler, Billingsley, Stewart of Green and Lafferty.

On Counties and County lines.—Messrs. Tobey, Cline, Hart, Adams, Greene, Patrick, Sevier and Ferguson.

On Internal Improvements.—Messrs. Tebbetts, Ferguson, Watson, Fletcher, Singleton, Armstrong, Foreste, Imboden, Mitchell, Eaton, Chandler, Preston and Kinsworthy.

On Penitentiary.—Messrs. Whittington, Blackemore, Ayers, Wills, Leslie, Simpson, Baker, Atkins and Yochum.

On Public Lands.—Messrs. Fletcher, Blakemore, Morton, Wilson, Tappan and Bradley.

Mr. Bradley offered the following resolution.

Resolved, That the resolution adopted on yesterday, to go into the election of Chaplain be rescinded—and that the Rev. Mr. Ratcliffe be invited to open the deliberations of this body every morning by prayer and that the Speaker be authorized to appoint three members of this body to notify him of our wishes.

Mr. Trapnall moved to amend by striking all out of said resolution which relates to the resolution of yesterday.

Which amendment was accepted by Mr. Bradley.

Mr. Trapnall moved a reconsideration of the vote taken on yesterday upon the resolution to elect a chaplain of the House of Representative.

Which prevailed.

Mr. Eaton moved to amend the resolution offered by Mr. Bradley by striking all out of said resolution after "resolved" and inserting "that this House go into the election of chaplain immediately."

Mr. Foreste moved to lay the resolution and amendments on the table indefinitely—which was lost.

The resolution as amended by Mr. Eaton was then taken up and adopted.

Whereupon the Speaker announced that nominations for chaplain were in order.

Mr. Brewton nominated Rev. Mr. Lee.

Mr. Cline nominated Rev. Mr. Ratcliffe.

Mr. Farmer nominated Rev. Mr. Champlin.

Mr. Carroll nominated Rev. Mr. Jeffries.

No further nominations being made the clerk proceeded to call the roll.

Those members who voted for Mr. Lee are

Messrs Adams, Anderson, Ayers, Baker, Billingsley; Brewton; Coldwell; Cauthron, Chandler, Denton, Dodson, Ferguson; Hardin, Kinsworthy; Leslie; Lafferty; Mitchell; McIlroy; Morton; Nettles; Russell; Rosson, Singleton, Steward of Crawford; Stuart of Green, Simpson; Sadler; Trimble; Tebbetts, Tobey, Wilson; and Yochum —32.

Those members who voted for Mr. Ratcliffe are

Messrs Armstrong, Bailey; Blakemore, Bradley; Cline, Dodd; Emmerson, Embry; Fletcher; Gordon, Greene; Harris; Jackson, James; Johnson; McRae; Murph, Moore; Patrick; Preston; Pyburn, Rogers; Sissel; Tappan; Trapnall; Walker; Witherspoon; Whittington; Woodward and Mr. Speaker—32.

Those members voting for Mr. Champlin are

Messrs Atkins, Basham, Farmer, Foreste, and Gilmer.—5.

Those members who voted for Mr. Jeffries are

Messrs Carroll, Eaton, Hart and Wills—4.

None of the candidates having received a majority of all the votes cast, the Speaker announced there was no election; whereupon the Clerk proceeded to call the roll the second time.

Those members who voted for Mr. Lee are

Messrs. Adams, Atkins, Anderson, Ayers, Baker, Brewton, Coldwell, Cauthron, Chandler, Denton, Dodson, Ferguson, Hardin, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, Morton, Nettles, Russell, Rosson, Steward of Crawford, Stuart of Green, Simpson, Sadler, Trimble, Tebbetts, Tobey, Witherspoon, Watson and Yochum—32.

Those members who vote for Mr. Ratcliffe are

Messrs. Armstrong, Bailey, Billingsley, Blakemore, Bradley, Carroll; Cline, Dodd, Eaton, Emerson, Embry, Fletcher, Greene, Hart, Harris, James, MeRae, Murph, Patrick, Preston, Pyburn, Rogers, Singleton, Sissel, Sevier, Tappan, Trapnall, Walker, Whittington, Woodward, Wills, Wilson and Mr. Speaker—33.

Those members who voted for Mr. Champlin are

Messrs. Basham, Foreste, Farmer, Gordon, Gilmer, Jackson, Johnson and Moore—7.

None of the candidates having received a majority of all the votes cast the Speaker announced that there was no election.

After the first ballott Mr. Carroll withdrew the name of Rev. C. L. Jeffries.

The clerk then proceeded to call the roll the third time.

Those members who voted for Mr. Lee are

Messrs. Adams Atkins Anderson Ayers Baker Brewton Coldwell Cauthron Chandler Denton Dodson Ferguson Hardin Kinsworthy Leslie Lafferty Mitchell McIlroy Morton Moore Nettles Russell Rosson Singleton Steward of Crawford, Stuart of Green, Simpson Sadler Trimble Tebbetts Tobey Witherspoon Wilson and Yochum—34.

Those members who voted for Mr. Ratcliffe are

Messrs. Armstrong Bailey Blakemore Bradley Carroll Cline Dodd Eaton Emerson Embry Fletcher Gordon Greene Hart Harris James McRae Murph Patrick Preston Pyburn Rogers Sissel Sevier Tappan Trapnall Walker Whittington Woodward Wills Watson and Mr. Speaker—32.

Those members who voted for Mr. Champlin are

Messrs. Basham Billingsley Farmer Foreste Gilmer Jackson and Johnson—7.

None of the candidates having received a majority of all the votes cast the Speaker announced that there was no election.

Mr. Carroll moved to dispense with further ballotting till to-morrow morning—which motion was lost.

The clerk then proceeded to call the roll the 4th time.

Those members who voted for Mr. Lee are

Messrs. Adams Atkins Anderson Ayers Baker Brewton Cauthron, Chandler Denton Dodson Ferguson Hardin Kinsworthy Leslie Lafferty Mitchell McIlroy Moore Morton Nettles Russell Rosson Singleton Steward of Crawford, Stuart of Green, Simpson, Sadler Trimble Tebbetts Tobey Walker Witherspoon Whittington Wilson and Yochum—35.

Those members who voted for Mr. Ratcliffe are

Messrs. Armstrong Bailey Billingsley Blakemore Bradley Carroll, Cline Dodd Eaton Emerson Embry Fletcher Gordon Greene Hart Harris Jackson James McRae Murph Patrick Preston Pyburn Rogers Sissel Sevier Tappan Trapnall Woodward Wills Watson and Mr. Speaker—32.

Those members who voted for Mr. Champlin are

Messrs Basham Farmer Foreste Gilmer and Johnson—5.

Mr Cline moved to dispense with further ballotting until to-morrow morning.

Which motion was lost.

None of the candidates having received a majority of all the votes given the Speaker announced that there was no election.

Whereupon the clerk proceeded to call the roll the 5th time.

Those members who voted for Mr. Lee are

Messrs. Adams Atkins Anderson Ayers Baker Brewton Coldwell Cauthron Chandler, Denton Dodson Ferguson Gilmer Hart Hardin Jackson Kinsworthy Leslie Lafferty Mitchell McIlroy Morton Moore Nettles Russell Rosson Singleton Steward of Crawford, Stuart of Green, Simpson Sadler Trimble Tebbetts Tobey Walker Witherspoon Whittington Wilson and Yochum—39.

Those members who voted for Mr. Ratcliffe are

Messrs. Armstong Bailey Billingsley Blakemore Bardley Carroll Cline Dodd Eaton Emerson Embry Fletcher Gordon Greene Harris James McRae Murph Patrick Preston Pyburn Rogers Sissel Sevier Tappan Trapnall Woodward Wills Watson and Mr. Speaker—30.

Messrs. Basham and Farmer voted for Mr. Champlin.

Mr. Miller by his request was excused from voting for Champlin.

The Speaker announced that Mr. Lee having received a majority of all the votes given was duly elected Chaplain of the House of Representatives.

Mr. Trapnall was called to the chair, Mr. Eaton introduced the following resolution:

Resolved, That a committee of three be appointed to wait on the Chaplain elect and request him to enter upon the discharge of his duties to-morrow morning.

Which was adopted.

The Speaker appointed Messrs Eaton, Watson, Bradley as such committee.

The following communication from the Secretary of State, was laid before the House by the Speaker.

Office of the Secretary of State,
Little Rock, November 7th, 1850.

Sir—

I have the honor to transmit herewith to the House of Representatives an abstract of the Census of the State of Arkansas.

Respectfully,
DAVID B. GREER,
Secratary of State.

Hon. T. B. Flournoy,
Speaker of the House of Rep's.

		White males.						Wh't females.		Free persn's of col.	
	COUNTIES.	Under ten years.	Over 10 and under 18.	Over 18 and under 21.	Over 21 and under 45.	Over 45.	Total No. of white males.	Under 16.	Over 16.	Males.	Females.
1	Arkansas,	300	162	52	323	84	921	389	358	7	7
2	Ashley,	282	145	43	284	54	808	318	297	3	7
3	Carroll,	903	454	95	617	121	2,190	1,085	803	1	4
4	Bradley,	422	273	54	387	99	1,235	529	480	1	
5	Benton,	668	372	142	370	345	1,897	679	702	6	2
6	Chicot,	183	87	31	328	57	686	214	254	12	17
7	Clark,	656	285	100	587	120	1,748	765	647	3	
8	Conway,	653	313	98	545	140	1,749	834	692	2	3
9	Crawford,	1,242	638	185	1,142	306	3,513	1,681	1,455	43	48
10	Crittenden,	290	226	93	303	77	989	457	480	14	14
11	Dallas,	828	397	134	769	175	2,303	1,102	873	2	1
12	Desha,	241	128	58	436	80	943	345	353	36	34
13	Drew,	442	228	91	415	103	1,279	534	461	1	
14	Franklin,	645	304	72	469	131	1,621	799	657	2	1
15	Fulton,	305	185	50	224	70	834	447	366		
16	Greene,	562	257	74	349	93	1,335	577	621	8	7
17	Hempstead,	967	498	135	817	206	2,623	1,236	1,015	31	17
18	Hot Spring,	528	269	84	455	115	1,451	667	547	3	4
19	Independence,	1,199	588	152	885	280	3,104	1,502	1,366	1	2
20	Izard,	565	254	115	387	82	1,403	779	584	1	
21	Jackson,	527	289	97	497	122	1,532	682	564	5	3
22	Jefferson,	493	319	109	576	156	1,653	762	651	16	10
24	Johnson,	895	421	150	698	187	2,351	1,099	993	2	2
24	Lafayette,	311	120	48	335	77	891	451	382		
25	Lawrence,	345	458	134	643	192	1,772	1,120	917	6	4
26	Madison,	925	444	92	621	189	2,271	1,010	912		
27	Marion,	378	242	40	275	67	1,002	462	379	37	25
28	Mississippi,	254	125	39	307	90	815	318	307	1	
29	Monroe,	316	161	64	356	65	962	442	402	2	2
30	Montgomery,	349	199	49	246	71	914	431	299		
31	Newton,	343	162	44	210	63	822	456	307	2	5
32	Ouachita,	1,113	582	147	1,167	275	3,284	1,507	1,244	2	2
33	Perry,	184	84	26	136	42	472	245	176	3	4
34	Phillips,	654	363	114	906	153	2,190	784	869	1	2
35	Pike,	346	143	54	236	83	862	411	340		
36	Poinsett,	403	186	61	308	80	1,038	482	435		
37	Polk,	223	111	30	169	56	589	249	217	3	7
38	Pope,	767	368	108	538	154	1,935	954	756		
39	Prairie,	328	174	47	279	95	923	405	355	9	7
40	Pulaski,	666	320	116	803	164	2,069	945	911	11	23
41	Randolph,	576	313	89	462	128	1,568	751	660	1	4
42	Saline,	637	318	95	454	146	1,650	776	617	4	4
43	Scott,	578	286	99	412	120	1,495	719	565	8	8
44	Searcy,	449	205	62	276	95	1,087	559	384		
45	Sevier,	453	275	90	402	135	1,355	614	488	11	3
46	St. Francis,	774	393	193	637	115	2,112	952	811	1	
47	Union,	1,391	683	211	1,322	315	3,922	1,724	1,447	11	8
48	Van Buren,	419	240	66	292	74	1,091	512	389		
49	Waseington,	1,700	884	268	1,169	415	4,436	2,275	1,755	5	6
50	White,	398	221	66	394	79	1,158	580	459	3	1
51	Yell,	536	261	77	410	80	1,364	594	498	12	5
		29,612	15,413	4,743	25,628	6,821	82,217	38,201	32,500	333	303

I certify that the above table exhibits a true abstract of the census of the State of Arkansas,

1850. ACT 25th FEBRUARY, 1838,

Slaves.			Acres of land in cultivation,		Production.				
Under 8.	Over 8 and under 60.	Over 60.	Cotton.	Grain.	Bales, cotton.	Bush. of corn.	Bush. of oats.	Bushels of Wheat.	Total No. of Souls.
472	1,089	25	6,084	5,018	3,935	118,676	605		3,259
206	491	27	1,362	3.672	593	127,140	736	61	2,157
52	132	13	2	11,115	2	236,255	13,476	11,165	4,280
480	869	9	2,594	737	1,237	109,574	4,193	12	3,603
106	124			10,508		142,870	422,885	133,874	3,516
1,219	2,876	87	20,371	8,707	16,502	237,735	1,320		5,365
298	654	24		7,554	748	113,380	1,984	678	4,139
60	142	2	991	6,940	365	161,970	4,320	1,768	3,484
319	571	10	1,698	17,106	909	321,167	64,728	8,302	7,640
158	496	29	866			139,897	403		2,637
699	1,709	35	4,819	4,718	1,351	223,946	1,385	257	6,724
313	834	17	3,832		3,660	97,939	50	20	2,875
282	456	11	2,654		1,633	125,190	1,263	28	3,024
166	314	11	1,629	11,045	711	220,580	26,836	2,037	3,571
16	33		42	5,120	15	11,541	8,996	2,559	1,696
11	33			6,772	3	99,084	10,709	2,273	2,592
729	1,544	65	6,399	20,911	2,884	261,014	26,610	1,149	7,260
88	159		310	5,601	107	102,484	4,645	1,013	2,919
217	409	17	428	16,514	252	310,000	254,000	8,900	6,618
62	133	3	114	7,074	75	163,002	5,425	6,503	2,965
162	349	9	1,851	4,513	731	36,525	1,840	995	3,306
759	1,756	44	9,449	8,617	4,838	167,265	1,375		5,651
257	439	10	2,013	12,632	716	236,815	34,132	4,824	5,153
911	2,118	84	13,677	8,325	1,599	144,775	960	45	4.837
113	237	3	129	15,131	52	326,525	21,148	10,104	4,172
46	97	3		15,117		229,493	29,173	17,796	4,339
45	56	3	26	6,620		137,485	10,887	6,055	2,009
265	544	26	595	5,648	590	173,110			2,276
111	261	8	1,194	3,649	521	66,978	1,575		2,190
24	31	1	55	4,659	28	63,734	2,385	3,245	1,700
18	22			4,037		86,405	6,625	3,017	1,632
976	2,220	59	11.087	20,438	2,747	307,445	7,238	807	9,294
7	14		2	1,820	1	30,450	1,350	416	921
615	1,656	27	7,730	11,428	5,106	311,330	3,495	10	6,144
15	63	1	604	3,759	136	115,187	2,164	953	1,692
60	134	6	588	8,771	211	88,352	5,365	1,548	2,155
26	47			2,898		37,940	3,295	981	1,138
145	258	4	1,703	9,126	808	168,795	12,487	4,622	4,052
78	183	4	700	4,024	244	61,630	2,192	1,140	1,964
283	362	23	972	6,883	685	162,860	3,830	170	4,627
73	159	5	78	9,534		156,129	13,255	2,712	3,221
175	330	8	2,024	9,661	760	178,980	8,006	3,372	3,564
40	78	1	488	6,733	214	122,247	16,966	1,280	2,914
11	11	1		5,581		84,032	8,822	5,140	2,053
386	884	15	2,425	8,439	1,933	127,940	7,130	917	3,756
186	500	17	2,246	6,382	1,776	193,806	1,970	365	4,579
1,574	3,507	110	24,563	28,567	7,353	371,076	12,477	878	12,303
28	43		289	5,976	107	93,318	4,548	1,639	2,063
366	713	11		30,495		520,380	137,311	30,067	9,567
80	198	5	546	4,263	199	63,225	5,980	1,132	2,484
99	141	3		8,056	585	98,055	7,301	4,707	2,716
13,887	30,479	876	139,229	430,894	66,942	8,278,731	1,229,851	289,536	198,796

OFFICE OF THE SECRETARY OF STATE,
Little Rock, 7th November, 1850.

taken for the year 1850; as appears from the returns thereof made to this office.

DAVID B. GREER, Secretary of State.

Mr. Sissel introduced the following resolution:

"*Resolved*, That two hundred copies of the Governor's message with the accompanying documents and one thousand without them be ordered to be printed for the use of this House."

Which was adopted.

On motion of Mr. Singleton, the resolution of the House relative to the election of enrolling Clerk as amended by the Senate, was taken up.

Mr. Sevier offered the following amendment to the amendment of the Senate, strike out "10 o'clock and insert "11 o'clock a. m. of this day."

Which was adopted.

On motion of Mr. Singleton, the House concurred in the amendment of the Senate as amended by the House.

Mr. Gilmer introduced the following resolution:

"*Resolved*, That so much of the Governor's message as relates to amending the constitution be referred to a committee consisting of one from each judicial circuit, and they be instructed to report by bill or otherwise."

Which was adopted.

Mr. Whittington introduced the following resolution:

"*Resolved*, That the following standing committees be made joint committees to wit:

The committee on Ways and Means; on Banks; on Auditor's and Treasurer's books and on the Penetentiary, and that the Senate be requested to concur herein."

Which was adopted.

The following message was received from the Senate by the hands of the Secretary.

MR. SPEAKER—

I am instructed to inform your Honerable body that the Senate have adopted the following joint resolution.

"*Resolved*, That a committee of three be appointed on the part of the Senate, to act with such committee as may be appointed by the House of Representatives to prepare such rules and joint rules as may be necessary for the joint action of the two Houses of the General Assembly; and that said committee prepare separate rules for the use of the Senate. The committee on the part of the Senate are Messrs Underhill, Burrow and Mitchell.

And respectfully ask the concurrence of the House therein.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Tebbetts, the House concurred in the message of the Senate. The committee appointed by the Speaker on the part of the House are Messrs Whittington, Anderson, Tebbetts, Carroll, and Preston.

Mr. Carroll gave the following notice.

"Mr. Speaker:—

I hereby give notive to the House, that on Monday next I will ask leave to introduce a bill to exempt from execution a homestead of eighty acres of land including the family dwelling.

Mr. Tebbetts introduced the following resolution.

"*Resolved*, That 300 copies of the abstract of the census be printed for the use of the House."

Which was adopted.

Mr. Foreste gave notice as follows,

"Mr. Speaker, I give notice that I will ask leave on Monday next, to introduce a bill to exempt persons over the age of forty-five years, from paying a poll tax and for other purposes."

I also give notice that I will ask leave to present a bill to amend the Road law."

I will also ask leave to introduce a bill to amend the penal code of laws now in force."

Mr. Lafferty introduced the following joint resolution.

"*Resolved*, by the Senate and House of Representatives—That on Monday next both Houses will proceed to elect a public printer and that the Senate be requested to concur."

On motion of Mr. Watson, said resolution was rejected.

Mr. Basham, gave the following notice;

Mr. Speaker, I hereby give notice that I will on Tuesday next, or as soon there after as practicable ask leave to introduce a bill to take assessment from the Sheriffs and for other purposes."

M. Sissel introduced the following resolution.

"*Resolved*, That so much of the Governors message as relates to the establishment of universities and a system of common schools be referred to the committee on Education."

Which was adopted.

Mr. Russell gave the following notice;

Mr. Speaker, I now give notice that on Monday next, I will ask leave to introduce a bill to prevent the owners of slaves from leaving them on plantations or elsewhere without a proper agent or agents to control them.

Mr. Steward of Crawford, gave the following notice;

Mr Speaker, I now give notice that on Monday next, I will introduce a bill for the removal of free negroes from the State."

Mr. Lafferty gave the following notice.

Mr. Speaker, I hereby give notice that I will on to-morrow or some convenient day thereafter, ask leave to introduce a bill to be entitled "an act donating to widows and orphans, eighty acres of land."

On motion of Mr. Bailey, the House adjourned till to-morrow morning 9 o'clock.

T. B. FLOURNOY, *Speaker*.

FRIDAY, Nov. 8th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

On motion of Mr. James, the reading of the Governor's message on the journal was dispensed with.

The journals of Wednesday and Thursday were read and adopted.

Mr. Singleton introduced the following resolution.

Resolved, That the House proceed to elect an enrolling Clerk today at 10 o'clock, a. m.

which was adopted.

Mr Tebbetts was called to the chair.

On motion of Mr. Cline, *Mr. M*orton was added to the committee on counties and county lines.

On motion of Mr. Ayers Mr. Dodson was added to the committee on counties and county lines.

Mr. Whittington from the select committee, to prepare rules for the government of the House made the following report.

MR. SPEAKER:—

The select committee appointed to prepare rules for the government of this House during this session have instructed me to report, that they have had the subject under consideration, and having examined the rules of this House, adopted at the last session, propose them to the House without amendment together with two additional rules number, 51 and 52, herewith submitted and recommend that the same be adopted, and that 200 copies be printed for the use of this House.

WHITTINGTON, *Chairman.*

Rules and orders for the Government of the House of Representatives:

1. The Speaker shall take the chair at the hour to which the House shall have adjourned, the preceding day, immediately call the House to order, and, on the appearance of a quorum cause the journal of the preceding day to be read.

2. He shall preserve decorum and order, may speak to points of order in preference to other members (rising from his chair, for that purpose,) and shall decide questions of order subject to an appeal to the House, by any two members.

3. The speaker (rising from his seat) shall put the question distinctly in this form to wit: "You who are of the opinion that (as the case may be) say aye: Contrary opinion say no."

4. If the Speaker doubt or a division be called for, the House shall devide those in the affirmative shall rise from their seats, and afterwards those in the negative, if a count be required the Speaker shall tell the members beginning with the affirmative and (rising from his seat) shall state the division to the House.

5. Any member may call for a statement of the question, which the Speaker may give sitting.

6. All committees shall be appointed by the Speaker, unless otherwise directed by the House in which case they shall be appointed by ballot and the person or persons having the highest number of votes shall be appointed, unless a greater number than are required to compose the committee shall have an equal number of votes in which case the House shall proceed to a further ballot.

7. In all cases of ballot by the House, and in all questions where the yeas and nays are called, the Speaker shall vote he being the last in voting.

8. The Speaker, with three members shall be a sufficiet number to adjourn; five to call a House and send for absent members. In all cases where an absent member shall be sent for, and he shall fail to attend in obedience to the summons, the report of the messenger shall be entered upon the journal.

9. When a member is about to speak in debate or otherwise, he shall rise from his seat and address himself to Mr. Speaker.

10. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call him to order in which case the member so called to order, shall immediately take his seat, unless permitted to explain, and the House shall, if appealed to, decide upon the case without debate. If there be no appeal, the decision of the Chair shall be submitted to, and if the decision be in favor of the member so called to order, he shall be at liberty to proceed.

11. If two or more persons happen to rise at once, the Speaker is to name the person who shall speak first.

12. No member shall speak more than twice upon the same question without leave of the House, nor more than once until every member choosing to opeak shall have spoken.

13. While the Speaker is putting the question or addressing the House, no one shall walk out of or across the House. Neither in such case nor when a member is speaking shall any private discourse be entertained, nor while a member is speaking shall any one pass between him and the Chair.

14. No member shall vote upon any question in any case, where he was not present when the question was put.

15. Every member who shall be in the House when the question is put shall vote, unless the House shall excuse him.

16. When a motion is made and seconded, it shall be stated by the Speaker, or if in writing shall be handed to the Clerk, and by him read aloud before debated.

17. Every motion shall be made in writing, if the Speaker or any member desire it.

18. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House.

19. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, or for the

previous question; and a motion to adjourn shall always be in order, and decided without debate.

20. In all cases of competing questions, as of the previous question and postponement, or postponement and previous question, commitment and amendment, or commitment and previous question, postponement and amendment, or amendment and previous question, the first moved shall be first put.

21. In filling up blanks, the longest time and largest form shall be taken first.

22. The previous question shall be put in this form: Shall the main question be now put?" It shall be admitted, only when demanded by five members, and until decided shall preclude all amendment and further debate.

23. On a previous question no member shall speak more than once without leave.

24. Any member may call for a division of the question when the sense will admit of it, unless the yeas and nays are previously called.

25. A motion for commitment, until it is decided, shall preclude all amendment.

26. Upon calls of the House, for taking the yeas and nays on any question, the names of the members shall be called alphabetically, and each member shall answer from his seat, as it shall be deemed out of order for any member to be out of his seat when the question is put, and in such case the Speaker shall call to order before he puts the question.

27. Any five members shall have the right to call for the yeas and nays.

28. No committee shall sit during the sitting of the House, without special leave.

29. Any member may excuse himself from serving on any committee at the time of his appointment if he is then a member of three other committees.

30. No member of the House shall absent himself from the service of the House unless he have leave, or be sick or unable to attend.

31. Upon the call of the House the names of the members shall be called over by the Clerk and the absentees noted, after which the absentees shall again be called, and those for whom no excuse or any sufficient one is made, shall not be entitled to receive a certificate of attendance for the time he or they may have been absent.

32. Every bill shall be introduced by a motion for leave, in case of a general nature, one days notice, at least, shall be given of a motion to bring in a bill, or by order of the House on a report from a committee, and all bills shall be taken up in order as they were introduced unless the House shall direct otherwise.

33. The first reading of a bill shall be for information, and if op-

position shall be made to it, the question shall be, "shall the bill be rejected," if no opposition be made or if the question to reject be lost, the bill shall go to a second reading.

34. Upon the second reading of a bill, the Speaker shall state it as ready for commitment, amendment or engrossment and if committed then the question shall be whether a select or standing committee, or to a committee of the whole House.

The House shall determine on what day but, if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read a third time; after commitment and report thereof to the House, the bill may be recommitted at any time before its passage except after engrossment for a third reading.

35. All bills ordered to be engrossed shall be executed in a fair legible hand, when a bill shall pass, it shall be certified by the Clerk noting the time of its passage at its foot.

36. In forming a committee of the whole House, the speaker shall leave the chair and a chairman to preside in committee, shall be by him appointed.

37. Upon bills committed to a committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined but all amendments noting the page and line, shall be entered by the clerk on a separate paper and so reported to the House; after report, the bill shall again be subject to be debated and amended by clauses before the question to engross it be taken.

38. All amendments made to reports committed to a committee of the whole House shall be incorporated with the motion, and be so reported.

39. All amendments made to a report committed to a committee of the whole House shall be noted and reported as in case of bills,

40. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered, and every such proposition shall receive its full discussion in a committee of the whole House.

41. No tax or duty voted by a committee of the whole House shall be increased in the House, until the motion or proposition shall first be discussed and voted in a committee of the whole House, and so in respect of the time of its continuance.

42. The rules of proceeding in the House shall be observed in committee, so far as they may be applicable except limiting the number of times of speaking.

43. No standing rule or order shall be revised or amended, without one day's notice being given of the motions therefor.

44. The Speaker shall have the right to name any member to perform the duties of the chair, but such substitute shall not extend beyond an adjournment, and if during the time of such substitution, the Speaker shall submit any proposition or motion, upon which the

House shall order a committee, such committee shall be appointed by the Speaker pro tem.

45. No person except members of the Senate, their secretary, the Governor, Ex-Governor, Secretary of State, Judges of the Supreme and Circuit Courts, the Auditor and Treasurer of the State, and such other gentlemen as have been members of either branch of the Legislature shall be admitted within the bar of the House of Represen-tatives, during the sitting of the same.

46. The presiding officer of the House shall be invested with discretionary powers to send communications to the Senate on all subjects where he may deem it necessary or expedient.

47. All memorials to the Congress of the United States shall be read three times, and be subject to the same rules and regulations that bills are.

48. On the call of the House, the business then pending shall be suspended for one hour, and the absent members sent for, at the end of which time the roll shall again be called, the absent members noted and the business suspended upon the call shall progress; provided however, that should the absent members appear sooner, the business then pending shall progress before the expiration of the hour.

49. Two thirds of the House may at any time dispense with the rules, and the question shall always be put in this form, to wit, "those in favor of dispensing with the rules will make it known by rising."

50. Orders of the day shall not be discharged at any time so as to give precedence to any bill.

51. The substance of all resolutions of instructions and request to our delegation in Congress shall be stated on the journals of the House as concisely as possible and be referred to the committee on memorials.

52. That no addition shall be made to the standing committees of the House except in case of a vacancy.

Mr. Cline maved to amennd *rule* 52 by inserting "not more than five."

On motion of Mr. Adams the amendment was rejected.

Mr. Nettles moved to reject rule 52.

Which motion was lost.

Mr. Eaton moved to substitute the following for rule 52.

"That no additional member shall be added to any standing committee unless it be at the request of a majority of the committee."

Mr. Singleton moved to amend the substitute proposed by Mr. Eaton by inserting "that in case of any addition to any standing committee that the same number of the original members may be permitted to withdraw from said committee."

On motion of Mr. Adams the substitute and amendment were laid on the table.

Mr. Saddler moved to lay the report and amendments on the table until to-morrow morning.

Which was carried.

Mr. Sadler called for the ayes and noes on the adoption of the report which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs. Atkins, Adams, Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Denton, Dodd, Emerson, Embry, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Whittington, Woodward, Wills, Watson and Mr. Speaker—61.

Those members voting in the negative are

Messrs. Dodson, Eaton, Farmer, Leslie, Moore, Nettles, Simpson, Walker, Witherspoon, Wilson and Yochum—11.

So the report of the committee was adopted.

The following message was received from the Senate by the hands of the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act to change the name of Lilburn Wallace of Dallas county, Arkansas, to Lilburn Gibson and to constitute him the legal heir of Granville Gibson of said county of Dallas" which is herewith transmitted and the assent of the House of Representatives is respectfully asked thereto.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Singleton the House proceeded to the election of an enrolling clerk.

The Speaker announced that nominations for Enrolling Clerk were in order.

Mr. Harris nominated Mr. Adamson.

Mr. Foreste nominated Mr. Cunningham.

Mr. Embry nominated Mr. Williams.

Mr. Bailey nominated Mr. DeBaun.

Mr. Wills nominated Mr. A. C. Scott.

Mr. Sadler nominated Mr. Rison.

No further nominations being made the clerk proceeded to call the roll.

Those members who voted for Mr. Adamson are

Messrs. Basham, Bradley, Brewton, Carroll Cauthron, Gordon, Gilmer, Harris, Leslie, Mitchell, McIlroy, Moore, Nettles, Sevier, Tappan, Trapnall, Witherspoon, Watson, Yochum and Mr. Speaker—20.

Those members who voted for Mr. DeBaun are

Messrs. Armstrong, Bailey, Ferguson, Greene, James, Morton, Sissel, and Woodward—8.

Those members who voted for Mr. Cunningham are

Messrs. Ayers, Baker, Blakemore, Chandler, Cline, Denton, Dodson, Farmer, Hart, Jackson, Johnson, Kinsworthy, Russell, Steward of Crawford, Trimble, Tebbetts, Walker, and Wilson—20.

Those members who voted for Mr. Rison are

Messrs. Adams, Fletcher, Patrick, Preston, Pyburn, Rogers, Rosson, Stuart of Green, Simpson, Sadler and Tobey—12.

Those members who voted for Mr. Williams are

Messrs. Billingsley, Embry, Hardin and McRae—4.

Those members who voted for Mr. Scott are

Messrs. Atkins, Dodd, Emerson, Lafferty, Miller, Murph, Singleton, Whittington and Wills—9.

No one of the candidates having received a majority of all the votes cast the Speaker announced that no choice had been made.

Whereupon the clerk proceeded to call the roll a second time.

Those members who voted for Mr. Adamson are

Messrs. Basham, Bradley, Carroll, Cauthron, Emerson, Gordon, Gilmer, Hardin, Harris, James, Leslie, Mitchel, McIlroy, Moore, Nettles, Sevier, Tappan, Trapnall, Witherspoon, Whittington, Watson, Yochum and Mr. Speaker—24

Those members who voted for Mr. DeBaun are

Messrs. Armstrong, Ferguson, Green, Morton, Rogers, Singleton, Sissel and Woodward—8.

Those members who voted for Mr. Cunningham are

Messrs. Anderson, Ayers, Baker, Blakemore, Chandler, Cline, Denton, Dodson, Farmer, Foreste, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Russell, Steward of Crawford, Trimble, Tebbetts, Tobey, Walker and Wilson—22.

Those members who voted for Mr. Rison are

Messrs. Adams, Atkins, Billingsley, Fletcher, Patrick, Preston, Pyburn, Rosson, Stuart of Green, Simpson and Sadler—11.

Mr. Embry and McRae, voted for Mr. Williams—2.

Those members who voted for Mr. Scott are

Messrs. Dodd, Eaton, Miller, Murph and Wills—5.

No one of the candidates having received a majority of all the votes given the Speaker announced that no choice had been made.

Mr. Wills withdrew the name of Mr. Scott.

The clerk then proceeded to call the roll a third time.

Those members who voted for Mr. Adamson are

Messrs. Basham, Bradley, Brewton, Carroll, Eaton, Emerson, Gordon, Gilmer, Hardin, Harris, Leslie, Mitchell, McIlroy, Moore, Nettles, Preston, Rogers, Rosson, Sevier, Tappan, Trapnall, Witherspoon, Whittington, Wills, Watson, Yochum and Mr. Speaker—27.

Those members who voted for Mr. DeBaun are

Messrs. Armstrong, Bailey, Dodd, Ferguson, Greene, Morton, Singleton, Sissel and Woodward—9.

Those members who voted for Mr. Cunningham are

Messrs. Atkins, Anderson, Ayers, Baker, Blakemore, Cauthron, Chandler, Cline, Denton, Dodson, Farmer, Foreste, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Russell, Steward of Crawford, Trimble, Tebbetts, Tobey, Walker and Wilson—25.

Those members who voted for Mr. Rison are

Messrs. Adams, Billingsley, Fletcher, Patrick, Pyburn, Sewart of Green, Simpson and Sadler—8.

Those members who voted for Mr. Williams are

Messrs. Embry, McRea and Murph—3.

No person having received a majority of all the votes given the speaker announced that no choice had been made.

Mr. Sadler withdrew the name of Mr. Rison.

Mr. Embry withdrew the name of Mr. Williams.

The clerk then proceeded to call the roll a fourth time.

Those members who voted for Mr. Adamson are

Messrs. Basham, Bradley, Brewton, Carroll, Eaton, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hardin, Harris, Leslie, Mitchell, McIlroy, McRea, Moore, Nettles, Patrick, Preston, Pyburn, Steward of Green, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Wills, Watson, Yochum and Mr. Speaker—32.

Those members who voted for Mr. DeBaun are

Messrs. Armstrong, Bailey, Dodd, Greene, James, Murph, Rogers, Singleton, Sissel and Woodward—10.

Those members who voted for Mr. Cunningham are

Messrs. Adams, Atkins, Anderson, Ayers, Baker, Billingsley, Cauthron, Chandler, Cline, Denton, Dodson, Embry, Farmer, Foreste, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Morton, Russell, Rosson, Steward of Crawford, Simpson, Sadler, Trimble, Tebbetts, Walker and Wilson—31.

No person having received a majority of all the votes given the Speaker announced that no choice had been made

The clerk then proceeded to call the roll the fifth time.

Those members who voted for Mr. Adamson are

Messrs. Basham, Bradley, Brewton, Carroll, Dodd, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hardin, Harris, Leslie, Mitchell, McIlroy, McRea, Moore, Nettles, Patrick, Preston, Pyburn, Steward of Greene, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Wills, Watson, Yochum and Mr. Speaker—32.

Those members who voted for Mr. DeBaun are

Messrs. Bailey, Greene, James, Murph, Rogers, Singleton, Sissel, and Woodward—8.

Those members who voted for Mr. Cunningham are

Messrs. Adams, Atkins, Anderson, Ayers, Baker, Billingsley, Blakemore, Cauthron, Chandler, Cline, Denton, Dodson, Embry, Ferguson, Farmer, Foreste, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Morton, Russel, Rossin, Steward of Crawford, Simpson, Sadler, Trimble, Tebbetts, Walker and Wilson—32.

No person having received a majority of votes given the Speaker announced that that no choice had been made.

The clerk then proceeded to call the roll a sixth time.

Those members who voted for Mr. Adamson are

Messrs Basham, Bradley, Brewton, Carroll, Dodd, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hardin, Harris, Leslie, Mitchell, McIlroy, McRea, Murph, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Wills, Watson, Yochum and Mr. Speaker.—35.

Those members who voted for Mr. DeBaun are

Messrs Bailey, James, Singleton and Woodward—4.

Those members who voted for Mr. Cunningham are

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Cauthron, Chandler, Cline, Denton, Dodson, Embry, Farmer, Foreste, Green, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Morton, Russell, Rosson, Steward of Crawford, Simpson, Sadler, Trimble, Tebbetts, Walker, and Wilson—33.

No person having received a majority of all the votes given the Speaker announced that no choice had been made.

Mr. Bailey withdrew the name of Mr. DeBaun.

The clerk then proceeded to call the roll a seventh time.

Those members who voted for Mr. Adamson are

Messrs. Armstrong, Bailey, Basham, Bradley, Brewton, Carroll, Dodd, Eaton, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hardin, Harris, James, Leslie, Mitchell, McIlroy, McRea, Murph, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Singleton, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson, Yochum and Mr. Speaker—41.

Those members who voted for Mr. Cunningham are

Messrs Adams, Atkins, Anderson, Ayers, Baker, Billingsley, Blakemore, Cauthron, Chandler, Cline, Denton, Dodson, Embry, Farmer, Foreste, Hart, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Morton, Russell, Rosson, Stewart of Crawford, Simpson, Sadler, Trimble, Tebbetts, Walker and Wilson—31.

Mr. Speaker announced that Mr. Adamson having received a majority of all the votes given was duly elected Enrolling Clerk of the House of Representatives.

Whereupon Mr. Adamson took the oath of office and entered upon the discharge of his duties.

Mr. Singleton moved that the House adjourn.

Which was lost.

On motion of Mr. Eaton, Senate bill entitled "an act to change the name of Lilburn Wallace of Dallas county, Arkansas, to Lilburn Gibson and constitute him a legal heir of Granville Gibson of said county of Dallas" was read the first time,

On motion of Mr. Eaton the rules were dispensed with and the bill read a second and third time and passed.

Mr. Walker gave notice as follows:

"Notice is hereby given that on Monday next or some day thereafter—I will ask leave to introduce a bill to be entitled an act to incorporate the town of Ozark."

Mr. Hardin gave the following notice:

Mr. Speaker:

"I now give notice that I will at some future day ask leave to introduce a bill to exempt the county of Lawrence from certain provisions of chapter 94 of the Revised Code."

Mr. Green gave the following notice:

Mr Speaker:

"I give notice that I will on Monday next or as soon thereafter as may be practicable introduced a bill to amend the 23rd sec. of 145 chap. of the Revised Statutes of Arkansas page 925."

Mr. Ferguson gave notice as follows:

Mr. Speaker:

"Notice is hereby given that I will no Friday next introduce a bill the——————to perfect titles to lands forfeited to the State for taxes and prevent speculation therein."

Mr. Sadler gate the following notice:

Mr Speaker:

"I hereby give notice that on Monday next or some convenient day thereafter I shall ask leave to introduce a bill to be entitled "an act to amend the road law."

Mr. Harris, gave the following notice:

Mr Speaker:

"On Tuesday next I shall ask leave to introduce a bill to change the mode of voting at all general elections holden in this State.

Mr. Carroll gave the following notice:

"I hereby give notice that on Tuesday next or some convenient day thereafter I will ask leave to introduce a bill to regulate the pay of petit jurors; and also a bill to lessen the minimum value of lands in the revenue law."

Mr. Baker gave the following notice:

Mr. Speaker:

"I now give notice that I will on Wednesday next ask leave to introduce a bill to be entitled an act to change the name of Harriet A. E. Fraley to Harriet A. E. Folsom."

Mr. Walker gave the following notice:

Mr. Speaker:

"Notice is hereby given that on Monday next I will ask leave to introduce a bill to be entitled an act to repeal so much of the revenue law as fixes a minimum value on lands as the basis of taxation."

Mr. Preston introduced the following resolution:

Resolved, That the door-keeper of this House be and he is hereby authorized to put the gallery of the House in complete order for the comfortable reception of the ladies who may honor this body with their presence."

Which was adopted.

Mr. Leslie introduced the following resolution:

Resolved, That the Secretary of State be, and he is hereby requested to furnished to this House at as early a day as practicable a certified copy of the amendments propose to the Constitution by the last legislature, and also the evidence of publication in accordance with the requirements of the Constitution."

Which was adopted.

Mr. Morton introduced the following resolution:

Resolved, That a committee of five be appointed on the part of the House to act with such committee as may be appointed by the Senate whose duty it shall be to receive proposals for the execution of the printing of this General Assembly and all such other printing as the public service shall require previous to the meeting of the next General Assembly and that they report the result of their proceedings to this House."

Mr. Jackson moved to lay the said resolution upon the table until to-worrow morning.

Which was lost.

The resolution was then adopted.

Mr. Miller gave the following notice:

Mr. Speaker:

"I hereby give notice that on Wednesday next I will ask leave to introduce a bill to be entitled an act to exempt persons over forty years of age from paying a poll tax "

Mr. Woodward gave the following notice:

Mr. Speaker:

"I now give notice that on Monday next I will introduce a bill to repeal certain sections of an act amending an act to incorporate the city of Camden."

Mr. Bailey gave the following notice:

Mr. Speaker:

"I will ask leave at some future day to introduce a bill to incorporate the town of Warren, Bradley county, Arkansas."

"Mr. Stewart of Green gave the following notice:

Mr. Speaker:

" I now give notice that I will on Monday next ask leave to introduce a bill to authorize and empower John McDaniel of the county of Green, as administrator of the estate of Charles Robertson to sell at private sale the slaves belonging to said estate to pay debts that exist against said estate."

Mr Tobey gave the following notice:

Mr Speaker:

Notice is hereby given that I will on Wednesday next ask leave to introduce a bill to repeal the 3rd section of the administration law requiring estates to vest in the widow when not exceeding three hundred dollars.

Mr Rogers gave the following notice:

Mr Speaker:

Notice is hereby given that I will on Friday next or on some convenient day thereafter ask leave to introduce a bill granting a charter for a Plank road commencing at some point on the Mississippi in Chicot county and terminating at the foot of the hills (know as the cut off hills) in Drew county.

Mr. Trapnall gave the following notice :

Mr Speaker:

I give notice that on to-morrow morning I shall ask leave to introduce a bill granting a charter to Thomas S. Woodward to make a turnpike road in Ouachita county and to erect toll-gates thereon.

Mr. Foreste gave the following notice:

Mr Speaker :

I give notice that on Friday next I will ask leave to present a memorial to this House asking the Congress of the United States for a donation of land for the use and benefit of the widow's and orphan's of this State.

On motion of Mr. Harris the House adjourned until to-morrow nine o'clock, A. M.

T. B. FLOURNOY, *Speaker.*

SATURDAY, Nov. 9th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr Cline presented the petition of John Wood of Washington county, signed by fifty citizens of said county praying a lease for ninety-nine years of the w½ of nw frl ¼ and ne ¼ of nw ¼ and nw ¼ of sw frl ¼ of section 16 township 15 n range 29 w.

Which was referred to the committee on education:

The following communication from the Secretay of State was presented by the Speaker with the documents therein referred to:

Office of the Secretary of State,
November 9th, 1850.

SIR :

In compliance with a resolution of the House of Representatives, I have the honor to transmit a certified copy of the proposed amendments to the constitution by the last legislature and also the evidence of publication in accordance with the requirements of the Constitution.

Respectfully,
DAVID B. GREER,
Secretary of State.

Hon. T. B. Flourney,
Speaker Ho. of Rep's.

Reports from standing committees were in order.

Reports from select committees were in order.

Motions and resolutions were in order.

Mr Armstrong gave the following notice:

Mr Speaker:

I now give notice that on Wednesday next I shall ask leave to introduce a bill to repeal the third and fourth sections of the sixth article of the Revised Digest under the head of criminal law and to substitute others in lieu thereof.

Mr. Jackson introduced the following resolution.

Resolved, That the committee on public roads be required to inquire into the expediency of so amending the road law that the several counties in this State may be exempt from paying tax to pay overseers and other unnecessary expenses and that they report by bill or otherwise.

Which was adopted.

Mr Jackson introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of amending the law in relation to taxing lands, that they may be assessed at their true value regardless of any improvement thereon and that they report by bill or otherwise.

Which was adopted.

Mr Lafferty introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the exempting a certain amount of land and other property from execution, be referred to the committee on the judiciary with leave to report by bill or otherwise.

Which was adopted.

Mr Trimble gave notice that he would on Wednesday next or on some convenient day ask leave ro introduce a bill to reduce the number of Internal Improvement commissioners in each county in this State to three and to fix their annual salaries by law.

Mr Morton introduced the following resolution :

Resolved, That the Secretary of State be requested to furnish the latest and most authentic map of the State of Arkansas for the use of this House.

Mr Singleton moved to amend by inserting one map to each standing committee of this House.

Which amendment was accepted by *Mr Morton*.

Which resolution as amended was adopted.

Mr Nettles, with leave, introduced a bill to be entitled an act concerning sheriffs.

Which was read a first time and ordered to a second reading on Monday next.

Mr. Sadler gave notice that on Wednesday or some convenient day thereafter he would ask leave to introduce a bill to be entitled "an act to reduce the price of Seminary land in the State of Arkansas."

Mr Atkins gave notice that he would as soon as opportunity afforded offer a memorial for the General Assembly of the State of Arkansas to memorialize the Congress of the United States to donate eighty acres of land to every male citizen of family that resides within twenty miles of the Indian line and will prepare himself with a good rifle and a supply of amunition and be ready for services if required to suppress hostilties of the Indians or any other invaders.

Mr. Patrick gave notice that he would on some subsequent day ask leave to introduce a bill to amend the administration law.

Mr Steward of Green gave notice that on Tuesday next he would ask leave to introduce a bill to amend the 94th section of chapter 95 of the Digest of this State under the head of justices of the peace.

Mr Basham, gave notice, with leave, introduced a bill to be entitled "an act for the relief of James Fleming and Mrs Shropshire administrator and administratrix of the estate of Hudson J. Shropshire dec'd.

Which was read a first time and on motion of Mr Farmer the rules were dispensed with and the bill read a second time.

Mr. Farmer moved that the rules be dispensed with, that the bill might be read a third time.

Which was lost.

On motion of Mr Farmer the bill was referred to a select committee of five.

Whereupon the Speaker appointed—

Messrs Farmer, Basham, Trapnall, Witherspon and Cline as said committee.

The following message was received from the Senate by the Secretary:

Mr Speaker:

I am instructed to inform your honorable that the Senate have adopted the following resolution:

Resolved, by the General Assembly of the State of Arkansas, that the committee of Public Printing be a joint committee whose duty it shall be to receive proposals and contract with the lowest bidder for the printing of the present General Assembly and such other public printing as the public service may require previous to the meeting of the next General Assembly, and that such joint committee take bond with sufficient security in the name of the State of Arkansas for the faithful performance of the contract which is herewith transmitted for the assent of the House of Representatives.

The Senate have passed a bill to be entitled "an act to change the time of holding the probate court in and for the county of Clark in the State of Arkansas."

Which is herewith transmitted for the assent of your honorable body.

The Senate have adopted the following joint rules for the government of the two Houses of this General Assembly and to regulate the intercourse between them which are herewith transmitted for the concurrence of the House of Representatives, which is respectfully asked.

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When the business requires the attendance of the Senate in the Representative chamber they with the secretary shall be conducted within the bar and there seated.

2. When a message shall be sent by the Senate to the House of Representatives it shall be announced at the door by the door-keeper, be respectfully communicated to the Speaker by the person to whom it may be sent, and a copy thereof be deposited on the clerks table.

3. The same ceremony shall be observed when a message is sent by the House of Representatives to the Senate.

4. Messages from the Senate to the House of Representatives shall be conveyed by the secretary of the Senate, and messages from the House of Representatives to the Senate shall be conveyed by the clerk of the House.

5. After a bill shall have passed both Houses, it shall be enrolled by the appropriate officers in the House where it originated.

6. When bills are enrolled, they shall be examined by a joint committee consisting of three members from the Senate and three from the House of Representatives to be appointed as a standing committee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill as passed by the two Houses, correct any errors that may be discovered, and report forthwith to their respective Houses, stating such errors as may have been corrected by them.

7. After examination, and report, each bill shall be signed by their respective Houses, first by the Speaker of the House of Representatives and then by the President of the Senate.

8. After a bill shall have been signed by the speaker of the House of Representatives and the President of the Senate, it shall be delivered by the joint committee of enrollment, to the Governor, and they shall report to each House respectively, the day on which such bill or bills were delivered, which report shall be entered on the journals.

9. When amendments are proposed to a bill in one House and dissented to, in the other, if either House requests a conference and appoints a committee for that purpose the other shall also appoint a committee for the same purpose; and such committee shall at a convenient time, to be named by the Chairman, meet and state to each

other verbally or in writing, the reasons for and against the amendment and report to their respective bodies, the result of their deliberations.

10. Committees of conference at the request of either House, may be appointed on any disagreement of opinion arising between the two Houses.

11. When a bill or resolution, which shall have passed in one House, shall be rejected in the other, notice there of, shall be given to the House in which the same originated.

12. All bills, memorials, or resolutions ordered to be engrossed, shall be engrossed by the proper officer, in the House in which it originated.

The Senate have amended the resolution of the House, making the committee on ways and means; on Banks, on Auditor and Treasurers Books, and on the Penitentiary joint committees by striking out the words "on ways and means" and inserting in lieu thereof, the words "apportionments," and have concurred in the resolution as amended and respectfully ask the House of Representatives to concur in their amendment to the same.

JOHN M. ROSS.
Sec'y of the Senate.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I have the honor to present for your Honor's signature "An act to change the name of Granville Wallace of Dallas county, Arkansas, to that of Lilburn Gibson, and to constitute him a legal heir to the estate of Granville Gibson of Dallas county, Arkansas.

JOHN M. ROSS
Sec'y of the Senate.

Mr. *M*orton gave notice that on next Saturday or on some day thereafter he would ask leave to introduce a bill to amend the charter law of incorporarion for the city of Fort Smith.

Mr. Coldwell gave notice that on Thursday next or as soon thereafter as convenient, he would ask leave to introduce a bill for the purpose of changing the time of Sheriffs paying in the revenue of their respective counties and for other purposes.

Mr. Harris gave notice that on Wednesday next he would ask leave to offer an amendment to the 29th section of the 4th article of the Constitution of the State of Arkansas, relative to the formation of new Counties.

Mr. Tobey gave notice that at some future time he would ask leave to introduce a bill to repeal the 66th section, chap. 4, revised Statutes requiring personal property to be sold by order of the Probate Court.

On motion of Mr. Whittington so much of the resolution passed on Thursday last as requires the clerk to have 200 copies of the Governors message with the accompanying documents printed, was rescinded.

Mr. Eaton gave notice that at some future day, he would ask leave to introduce a bill to reduce the tolls on the highways from this place to Memphis.

Mr. James gave notice that on Wednesday next, or as soon thereafter he would ask leave to introduce a bill to amend the laws now in force in relation to the election of county and probate Judges, circuit Judges, prosecuting attorneys and internal improvment commissioners, so as to change the time of holding the elections for said officers to the time of holding the general election in this State.

Mr. Ayers gave notice that on Thursday next he would ask leave to introduce a bill to declare King river a navigable stream.

Mr Baker gave notice that he would on Monday or some convenient day thereafter ask leave to prohibit the publication circulation or promulgation of the abolition doctrines in this State.

Mr. Denton, with leave introduced a bill to be entitled "An Act to change the Road law which was read a first time.

Mr. Denton moved that the rules be dispensed with so that the bill might be read a second time which was lost, the bill was ordered to a second reading on Monday next.

On motion of Mr. Trapnall, the papers on file, relative to contested elections were referred to the committee on elections.

Mr. Trapnall with leave introduced a bill to be entitled "An Act to grant a charter to Thomas S. Woodward to turnpike the Ouachita Swamp, opposite to Camden and to keep a ferry across the Ouachita river, which was on motion of Mr. Trapnall read a first time by title.

On motion of Mr. Trapnall the rules were dispensed with, the bill read a second time and referred to a select comittee consisting of five. The Speaker appointed Messrs Trapnall, Eaton, Armstrong, Bailey, and McRae as such select committee.

Mr. Whittington gave notice, that on Monday next, he would introduce a bill to change the name of William Taylor Tweedle.

Mr. Watson gave notice that he would on some future day ask leave to introduce a bill changing the time of holding the county and probate courts of Union county.

Mr. Whittington introduced the following resolution:

"*Resolved*, That the committee on Internal Improvements be instructed to inquire into the expediency of creating the office of State Geologist, and that they report thereon to this House, at early as practicable, by bill or otherwise."

which was adopted.

Mr. Walker gave notice "that on Thursday next, or some day thereafter he would ask leave to introduce a bill to be entitled "an act to amend an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas, for Internal Improvement.

On motion of Mr. Whittington, the House concurred in the message of the Senate concerning the joint rules for the government of the two Houses, and ordered 200 copies of the joint rules to be printed for the use of the House.

On motion of Mr. Whittington, the House concurred in the amendment of the Senate to the resolution of the House, relative to joint committees, and the message with the amendment concurred in.

Mr. Eaton gave notice that he would on Monday next ask leave to introduce two bills to incorporate the "Arkansas Military Institute," and the other to incorporate the Tulip Female Seminary."

Mr- Denton gave notice that he would on Friday next, or some day thereafter introduce a bill to reduce the county treasurer's fees.

Mr. Ferguson gave notice that he would on Tuesday next, ask leave to introduce a bill to amend the estray laws of this State.

On motion of Mr· Tebbetts the House concurred in the joint resolution of the Senate in regard to Public Printing. The committee appointed by Mr. Speaker on the part of the House are Messrs Morton, Bradley and Trapnall.

Mr. James gave notice that he would on Thursday next, or soon thereafter ask leave to introduce a bill to repeal the 9th, 10th, 11th, 12th, 13th, 14th, 15th, and 16th sections of chapter 94 of the Digest of the Statutes of this State in relation to the empanneling and pay of petit jurors.

Mr. Morton gave notice that on Saturday next, or some convenient day thereafter he would ask leave to introduce a bill to form a new county out of the county of Crawford.

Mr. Trimble gave notice that on Friday next, or some day thereafter he would ask leave to introduce a bill to exempt the county of Independence from the operation of the 9th, 10th, and 11th sections of the 94th chapter of the Revised Statutes of Arkansas (page 629).

On motion of Mr. Trapnall, leave was granted to Mr. Bradley to wear his hat or cap during the sittings of the House on account of an affection of the head.

On motion of Mr. Tebbetts the clerk was directed to enter *nunc pro tunc*, the names of the committee appointed by the Speaker on yesterday on public printing under the resolution of Mr, Morton, the said committee are Messrs Morton, Trapnall and Bradley.

On motion of Mr. Tobey the House adjourned until Monday morning 9 o'clock.

T. B. FLOURNOY,
Speaker of the House.

MONDAY, Nov. 11th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of Saturday was read and approved.

Petitions from counties were in order.

Reports from standing committees were in order.

Reports from select committees were in order.

Mr. Farmer from the select committee to whom was referred the bill entitled "an act for the relief of James Fleming and Mrs. Shropshire administrator and administratrix of the estate of Hudson J. Shropshire deceased" reported the same back to the House without amendment, and recommended its passage.

On motion of Mr. Basham said report was adopted and the bill read a third time and passed.

Motions and resolutions were in order.

Mr. Eaton introduced the following resolution.

"*Resolved*, That a committee of ten be appointed by this House on *Federal Relations* to act as a joint committee with a committee already appointed by the Senate on this subject, and that the Senate be requested to concur."

Which was adopted.

Whereupon the Speaker appointed the following committee to wit: Messrs Eaton, Tebbetts, Trapnall, Tappan, Coldwell, Blakemore, Whittington, Bradley, Patrick and Chandler.

Mr. Atkins gave notice that he would on some convenient day, introduce a bill to make all estray bonds, fines and forfeitures a county fund in and for the county of Polk.

Mr. Jackson introduced the following resolution.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law in relation to the mode of sheriffs riding through the several counties to assess the taxes that a change be so made as to require the sheriffs to advertise and attend two days in each township, and that the citizens of said township be required to attend and give in their taxable property, and that they report by bill or otherwise.

Which was adopted.

Mr. Sadler gave notice that he would on Wednesday next, or some convenient day thereafter introduce a bill to change the time of sheriffs paying over the State revenue and for other purposes.

Mr. McIlroy gave notice that he would on Tuesday next, or some day thereafter ask leave to introduce a bill to amend the 10th section of chapter 145 of the Digest of this State, under the head of schools and school lands.

Mr. Singleton gave notice that he would at some convenient time during the present session ask leave to introduce a bill more fully to define the duty of county school commissioners of the several counties in this State.

Mr. Whittington introduced the following resolution.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the constitution of this State so that the qualified voters thereof shall elect the Secretary of State, Auditor, Treasurer, and Judges of the Supreme Court, and that they report to this House by resolution or otherwise, at as early a day as practicable.

Which was adopted.

Mr Cauthron introduced the following resolution.

Resolved, That so much of the Governors Message as relates to the State and Real Estate Banks be referred to the Standing committee on banks and that they be requested to report by bill or otherwise."

Which was adopted.

Mr. Nettles in accordance with previous notice introduced a bill to be entitled "an act concerning special juries" which was read a first time, and ordered to second reading on to-morrow.

Mr. Eaton in accordance with previous notice introduced a bill to be entitled "an act to incorporate the Tulip Female Collegiate Seminary," which was read a first time.

On motion of Mr. Eaton, the rules were dispensed with, the bill was read a second time and referred to the committee on education.

Mr. Eaton in accordance with previous notice, introduced a bill to be enacted "an act to incorporate the Arkansas Millitary Institute,

Which was read a first time.

On motion of *Mr.* Eaton the rules were dispensed with, the bill read a second time and referred to the committee on education.

Mr. Whittington in accordance with previous notice introduced a bill to be entitled "an act to change the name of William Taylor to William Taylor Tweedle, and constitute him a lawful heir to the estate of William Tweedle."

Which was read a first time.

On motion of Mr. Whittington, the rules were dispensed with, the bill read a second and third time and passed.

Mr. Woodward in accordance with previous notice, introduced a bill to be intitled "an act to repeal the 3d, 6th and 8th sections of an act amending an act to incorporate the city of Camden "

Which was read a first time.

On motion of *Mr.* Woodward the rules were dispensed with the bill read a second time and referred to the committee on the judiciary.

Mr. Walker in accordance with previous notice introduced a bill to be entitled "an act to repeal so much of the revenue law of this State as fixes a minimum value on lands as the bases of taxation."

Which was read a first time.

On motion of Mr. Walker, the rules were dispensed with and the bill read a second time and referred to the committee on Ways and means.

Mr. Harris in accordance with previous notice introduced the following amendment to the constitution.

Resolved by the General Assembly of the State of Arkansas, that the following amendment be and is hereby proposed to the constitution of the State of Arkansas by striking out the twenty-ninth section of the fourth article and inserting the following in lieu thereof.

SEC. 1. That no county now established by law shall ever be reduced by the establishment of a new county or counties to less than six hundred and twenty-five square miles, nor to a less population than its ratio of representation in the House of Representatives, nor shall any county be hereafter established which shall contain less than six hundred and twenty-five square miles, or a less population than would entitle each county to a member in the House of Representatives.

Which was read a first time and ordered to a second reading on to-morrow.

The following communication from the Governor was received together with the papers therein referred to by *M.* L. Bell, Esq., Private Secretary to the Governor.

EXECUTIVE OFFICE, LITTLE ROCK, ARK.,
November 11th, 1850.

HON. T. B. FLOURNOY—
Speaker of the House of Representatives.

Resolutions passed by the Legislatures of other States upon the subject of slavery have been transmitted to me with the request that they be laid before the General Assembly of Arkansas.

In compliance with this request I have the honor to transmit the accompanying documents that they may received that action at the hands of the Legislature, which their importance and character may demand.

I have the honor to be
your obedient servant,
JOHN SELDEN ROANE.

The papers accompanying said message were read by the Clerk, and on motion of Mr. Cline, were laid on the table till to-morrow morning.

Mr. Eaton was called to the Chair.

On motion of *Mr.* Trapnall the communication addressed to the Speaker from the "American Association, for the advancement of science," was referred to the committee on Internal Improvement.

Mr. Stuart of Green, in accordance with previous notice introduced a bill to be entitled "an act to give discretionary powers to the administrator of Charles Robertson deceased."

Which was read a first time.

On motion of Mr. Stuart of Green, the rules were suspended, and the bill read a second and third time and passed.

Mr. Speaker resumed the Chair.

Senate bill No. 5, to be entitled "an act to change the time of holding the Probate Courts in and for the county of Clark," was taken up and read a second time, and ordered to a third reading on to-morrow.

Mr. Whittington gave notice, that on Thursday next, he would introduce a bill to exempt the county of Montgomery from the operation of the 9th, 10th, 11th and 12th sections of chapter 94 of the late revised Statutes under the head of Jurors.

House bill No. 1, to be entitled "an act concerning Sheriffs" was taken up and read a second time, and on motion of Mr. Nettles it was referred to the committee on the Judiciary.

House bill No. 3, to be entitled "an act to change the road law," was taken up and read a second time, and on motion of Mr. Wilson, referred to the committee on Internal Improvement.

Mr. Sevier gave notice that he would on Thursday next, or some convenient day thereafter, introduce a bill to form a new county out of a portion of the following counties, to wit: Ouachita, Hempstead, Lafayette, and Union.

Mr. Baker in accordance with previous notice, introduced a bill to be entitled "an act to prohibit the publication, circulation, or promulgation of Abolition doctrines."

Which was read a first time.

On motion of Mr. Baker, the rules were dispensed with, the bill read a second time and referred to the committee on the Judiciary.

Mr. Walker gave notice that he would on Tuesday next, ask leave to introduce a bill for the relief of R. B. Sagely, sheriff of Franklin county.

Mr. Sevier gave notice that he would, on Tuesday next, introduce a bill to change the time of holding the Probate court of Lafayette county.

Mr. Dodson laid before the House a report of the board of Internal Inprovement of Newton county relative to the manner in which they had appropriated their portion of the Internal Improvement fund.

On motion of Mr. Carroll, said report was referred to the committee on Internal Improvement.

Mr. Tebbetts was called to the chair.

Mr. Nettles gave notice that he would, on Friday next, or some day thereafter, ask leave to introduce a bill empowering the different Circuit Courts of this State and the Judges thereof, to grant writs of *certiorari* and *supersedeas.*

Mr. Blakemore moved that the House adjourn until to-morrow morning 9 o'clock.

Which was lost.

Mr. Morton gave notice that he would on some subsequent day of the session ask leave to introduce a bill to provide for calling in the county scrip of Crawford county.

Mr. Johnson gave notice that he would on Thursday next, or some day thereafter, introduce a bill to change the time of holding the special term of the county court of Madison county from the second Monday of November, to the fourth Monday of October.

Mr. Bradley introduced the following resolution:

Resolved, That the Secretary of the Board of Trustees of the Real Estate Bank be instructed to furnish to this House a map or schedule of all the lands mortgaged to the Bank for stock indicating their position—what lands have been sold under mortgage, the amount for which they were sold, and by whom purchased, and what amount of revenue the lands held by the Bank yield?

On motion of Mr. Witherspoon said resolution was adopted.

Mr. Sadler introduced the following resolution:

Resolved, That the Clerk of this House show on the Journal the amount of each members mileage.

Mr. Singleton moved to lay said resolution on the table till to-morrow morning.

Which motion prevailed.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled "An act to change the time of holding the Probate court of Pope county." Also a bill to be entitled "An act for the relief of Jesse Mooney late sheriff of Marion county."

Which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Miller, the House adjourned till to-morrow morning 9 o'clock.

T. B. FLOURNOY,
Speaker of the House of Rep's.

Tuesday, Nov. 12th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Carroll presented the petition of Benjamin F. Danley asking compensation for certain necessary expenses incurred in pursuance of an order of the Supreme Court of the State of Arkansas.

On motion of Mr. Carroll said petition was referred to a select committee of Messrs. Carroll, Anderson and Rogers.

Mr. Wilson presented the petition of W. J. Howard and others asking the legislature to grant Combs and Stair the right to build a dam for a saw and grist mill across White River in Benton county.

On motion of Mr. Wilson, said petition was referred to a select committee consisting of Messrs. Wilson, Basham and Brewton.

Reports from standing committees were in order.

Mr. Witherspoon from the committee on elections, made the following report.

Mr. Speaker:

I am authorized by the committee on elections to whom was referred the papers in the case of a contested election from the county of Monroe, for a seat in this body to make the following report:

That after a careful and diligent examination of all the facts in the case, your committee find that no legal election was held in three of the townships of said county, to wit: Cache, Surrounded Hill and Hampton townships, and that there were legal elections held in three of the townships to wit: Jackson, Montgomery and Rock Roe townships, and upon examining the abstract of the votes cast in the different townships of said county as certified to the Hon. Secretary of State, by the Clerk of said county, it appears that S. J. Brandenburg received a majority of fourteen of the votes legally cast, and that from the evidence adduced before your committee it appears that the illegal manner in which the poll books and a portion of the ballots of four of the townships to wit: Cache, Surrounded Hill, Hampton and Rock Roe, were broken open by persons unauthorized by the laws of the land.

Your committee therefore respectfully announce to this House that their decision is, that the election was an illegal one, and that the claims of the respective candidates be referred back to their constituents, and the seat in this body from Monroe county be declared vacant.

Respectfully submitted,
WITHERSPOON,
Chairman.

On motion of Mr. Preston said report was laid on the table till to-morrow morning.

Reports from select committees were in order.

Motions and resolutions were in order.

Mr. Tebbetts introduced the following resolution:

Resolved, That as much of the Governor's message as refers to the act of the last session distributing the proceeds of the 500-000 acre donation be referred to the committee on Internal Improvement.

Which was adopted.

Mr. Eaton introduced the following resolution:

Resolved, That so much of the Governor's message as relates to the swamp and overflowed lands donated by Congress to the State of Arkansas be referred to the committee on public lands.

Which was adopted.

Mr. Billingsly gave notice that he would on Friday next, or some convenient day thereafter ask leave to introduce a bill authorizing the Clerk of the Fulton Circuit Court to transcribe the records of the Chancery Court of said county.

Mr. Woodward gave notice that on to-morrow, (Wednesday,) he would beg leave to introduce a bill to amend chapter 140 of the Revised Digest under the title of roads and high-ways.

Mr. McIlroy in accordance with previous notice introduced a bill to be entitled " An act to amend the 10th section of the 145th chapter of the Digest of the Statutes of Arkansas under the head of schools and school lands.

Which was read a first time and ordered to a second reading on to-morrow morning.

Mr. Dodd gave notice that on Saturday next, he would introduce a bill to designate a fund which shall be applied to the redemption of all the bonds heretofore issued by the State.

Mr. Adams gave notice that he would on Friday next, or some convenient day thereafter introdvce a bill to be entitled " An act regulating the donation of forfeited lands by the State of Arkansas.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I have the honor to present for your Honor's signature a joint resolution in relation to the public printing.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Sevier introduced a bill to be entitled " An act to change the time of holding the county and Probate court of Lafayette county and to exempt the term of the circuit courts.

On motion of Mr. Sevier, the rules were dispensed with and the bill read a second and third time and passed.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have adopted the following resolution:

Resolved, That the two Houses of the General Assembly of the State of Arkansas meet in the Hall of the House of Representatives on Tuesday next, (to-day,) at 11 o'clock a. m. and elect one Supreme Judge for the State of Arkansas, to fill the vacancy occasioned by the expiration of the term of the Hon. C. C. Scott, and that the House of Representatives be requested to concur herein; and respectfully ask the concurrence of your honorable body therein.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Woodward, Senate resolution in regard to the election of Supreme Judge was taken up.

Mr. Sevier moved to amend by inserting "to-day week."

Which was lost.

On motion of Mr. Cline the House concurred in the resolution of the Senate.

Mr. Rogers introduced a bill to be entitled "An act to amend an act regulating and defining the affidavit now required to be made before attachments be issued."

Which was read a first time.

On motion of Mr. Rogers the rules were dispensed with and the bill read a second time.

On motion of Mr. Singleton said bill was referred to the committee on the Judiciary.

Mr. Armstrong introduced a bill to be entitled "An act to repeal the 3d and 4th sections of the 6th article of the Revised Digest under the head of criminal law and to substitute others in lieu thereof."

Which was read a first time.

Mr. Woodward was called to the Chair.

On motion of Mr. Armstrong the rules were dispensed with and said bill read a second time and referred to the committee on the Judiciary.

Mr. Basham introduced a bill to be entitled "An act to sever the office of Sheriff and Assessor and to establish the office of Assessor in each and every county in this State."

Which was read a first time.

On motion of Mr. Basham the rules were suspended and the bill read a second time and referred to the committee on the Judiciary.

Mr. Greene introduced a bill to be entitled "An act to amend section 23d of chapter 145 of the late Revised Statutes of the State of Arkansas on schools and school lands.

Which was read a first time.

On motion of Mr. Greene the rules were suspended, said bill was read a third time and referred to the Committee on Education.

Mr. Sadler introduced the following resolution:

Resolved, That the two Houses of this General Assembly will adjourn *sine die* on Monday 23d day of December, 1850, and that the Senate be requested to concur herein."

On motion of Mr. Tebbetts said resolution was laid on the table indefinitely.

Mr. Whittington introduced a bill to be entitled "An act to exempt Montgomery county from certain sections of chapter 94 of the last Digest in relation to petit jurors.

Which was read a first time.

On motion of Mr. Whittington the rules were suspended and said bill read a second time.

On motion of Mr. Singleton said bill was referred to the committee on the judiciary.

Mr. Foreste gave notice that he would on Monday next ask leave to introduce a bill regulating justices courts in Madison county.

Mr. Ferguson introduced a bill to be entitled an act to repeal sections 23 and 24 of chapter 65 of the Digest of the Revised Statutes in relation to estrays.

Which was read a first time.

On motion of Mr. Ferguson the rules were suspended said bill read a second time and referred to the committee on the judiciary.

Mr. Harris in accordance with previous notice introduced a bill to be entitled an act to change the mode of voting in this State and to repeal the 29th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42d, 43d, 44th, 45th, 46th, 4th and 52d and the latter clause of sect. 15 and 16 (under the head of elections) of the 61st chap. Digest of the Statutes of Arkansas.

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Sevier gave notice that to-morrow (Wednesday) he would introduce a bill to be entitled an act to prevent non-residents of this State from becoming executors or administrators in this State.

Mr. James in accordance with previous notice introduced a bill to be entitled an act in relation to petit jurors.

Which was read a first time.

On motion of Mr. James the rules were suspended the bill was read a second time.

And on motion of Mr. Eaton was referred to the committee on the Judiciary.

The following message was received from the Senate by the Secretary.

Mr Speaker:

I am instructed to inform your honorable body that the Senate have adopted a resolution, authorizing the joint committee on Banks to send for persons and papers and that they be authorized to employ a clerk or clerks.

In which resolution your honorable body is respectfully asked to concur.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Armstrong gave notice that on Thursday next he would ask leave to introduce a bill to repeal an act entitled an act to amend the 153rd chapter of the Digest of the Statutes under the title of runaway slaves.

On motion of Mr. Tebbetts the papers accompanying the Governor's message in regard to slavery were referred to the committee on Federal Relations.

Mr. Nettles in accordance with previous notice introduced a bill to be entitled an act respecting overseers of roads.

Which was read a first time and ordered to a second reading on to-morrow.

On motion of Mr. Gordon the House took a recess until five minutes before 11 o'clock, a. m.

Five minutes before 11 o'clock, a. m

The House convened.

The Senate now appeared in the House of Representative's Hall as per joint resolution and were seated.

The President of the Senate announced that the object of the Convention was to elect a Judge of the Supreme Court to fill the vacancy occassioned by the expiration of the term of Hon. C. C. Scott.

The President further announced that nominations for said judgship were in order.

Mr. Huie of the Senate, nominated Hon. C. C. Scott.

No further nomination being made the rolls were called.

Those members of the House who voted for Mr. Scott are

Messrs. Adams, Atkins, Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Greene, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, *M*iller, Mitchell, McIlroy, *M*cRae, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Rusell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan Trapnall Tebbetts Tobey Walke, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson, Yochum and Mr. Speaker—73.

In the Senate Mr. Scott received 23 votes.

In the House Mr. Scott received 73 votes—joint vote—96.

Thereupon the President announced that Hon. C. C. Scott, having received a majority of all the votes cast was duly and constitutionally elected a judge of the Supreme Court of Arkansas for the term prescribed by law.

Thereupon the Senate withdrew from the Representative's Hall and the convention dissolved.

Mr. James according to previous notice introduced a bill to be entitled an act to change the time of holding the Circuit Courts in the counties of Ashley, Chicot, Desha, Arkansas and Jefferson.

Which was read a first time.

On motion of Mr. James the rules were suspended and the bill was read a second time and on motion of Mr. Trapnall was referred to a select committee consisting of

Messrs. James, Rogers, Singleton, Ferguson and Bailey.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed bill No. 7 to be entitled an act to change the time of holding the Probate court of Crittenden county;

Also bill No. 2 to be entitled an act for the relief of Freeman Jackson.

All of which are herewith transmitted for the assent of your honorable body.

The Senate have also adopted a joint resolution instructing our Senators and requesting our Representative in Congress to use their best exertions to procure the establishment of a tri-weekly stage line from Little Rock to Fort Smith on the south side of the Arkansas river, which is herewith transmitted for the concurrence of the House of Representatives.

J. M. ROSS,
Secretary of the Senate.

Senate bill No. 3 to be entitled an act to change the time of holding the Probate court in and for the county of Clark was taken up, read a third time and assented to.

Senate bill No. 4 to be entitled an act to change the time of holding the Probate court of Pope county was taken up and read a first time ordered to a second reading on to-morrow.

Senate bill No. 5 to be entitled an act for the relief of Jesse Mooney late sheriff of Marion county was taken up and read a first time.

On motion of Mr. Leslie the rules were suspended and the bill read a second time by title and referred to a select committee of three consisting of

Messrs. Leslie, Yochum and Harris.

Mr. Sevier moved that the House adjourn,

Which was lost.

House bill No. 5 to be entitled an act concerning special juries was taken up and read a second time and on motion of Mr. Nettles was referred to the commit.ee on the Judiciary.

The amendments proposed to the Constitution were taken up and read a second time and on motion of Mr. Carroll referred to the committe on the judiciary.

The resolution of Mr. Sadler concerning the mileage of members was taken up and decided to be ont of order by Mr. Speaker.

On motion of Mr. Cline certain amendments to the Constitution proposed by the last General Assembly were taken up and read a 1st time.

On motion of Mr. Blakemore they were ordered to a 2nd reading on Thursday next.

On motion of Mr. Singleton 100 copies of the proposed amendments were ordered to be printed.

On motion of Mr. Witherspoon the House adjourned.

T. B. FLOURNOY, *Speaker.*

WEDNESDAY, Nov. 13, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

Journal of yesterday was read and approved.

Mr. Speaker announced the committee on memorials to wit:

Messrs Preston, Woodward, Rogers, Wills, Moore and Dodson.

Mr. Speaker laid before the House the following communication from Thomas W. Newton, Esq., Secretary of Board Trustees Real Estate Bank.

Office of the Trustees of the Real Estate Bank,
of the State of Arkansas,
Little Rock, Nov. 12, 1850.

Hon. T. B. FLOURNOY,
Speaker of the House of Rep's.

SIR: In response to the resolution of the House of Representatives of the 11th inst., communicated to me by the clerk of the House I have the honor to state that according to the ninth section of the charter of the Real Estate Bank "a certified copy of the schedule of all the lands mortgaged to the Real Estate Bank for stock was required to be made out by the managers appointed by the governor for that purpose and filed by them in the office of the Secretary of State—where I presume it may now be found.—If however this should not have been done or the schedule cannot be found I will with pleasure furnish to any member or committee of your body the use of the one made out for the Bank duly certified and now in possession of the Trustees. This will avoid the necessity of copying a large book consisting of thirty pages. There is also in Bank a list of all lands sold under decrees and purchased in by the Trustees, which can likewise be examined at any time by any of your body; it occupies some 12 or 15 pages closely written, the labor of copying, which, by this means may also be avoided.

I am sir very respectfully,
Your obedient servant,
THOS. W. NEWTON, *Secretary of Board Trustees Real Estate Bank.*

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Trapnall from the committee on Judiciary to whom was referred House bill No. 1, entitled "an act concerning sheriffs" reported the same back to the House without amendment and recommended its passage.

Mr. Nettles moved the adoption of said report.

Mr. Lafferty called for the ayes and noes which was sustained and the roll called.

Those members voting in the affirmative are

Messrs. Atkins, Armstrong, Ayers, Baker, Billingsley, Bradley, Caldwell, Cauthron, Denton, Dodson, Dodd, Eaton, Embry, Ferguson, Gordon, Gilmer, Greene, Hardin, Mitchell, McIlroy, McRea, Murph, Nettles, Preston, Pyburn, Steward of Crawford, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Woodward and Mr. Speaker—35.

Those members voting in the negative are

Messrs. Adams, Anderson, Bailey, Basham, Blakemore, Brewton, Carroll, Chandler, Cline, Emerson, Farmer, Foreste, Fletcher. Hart, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Morton, Moore, Patrick, Rogers, Russell, Rossin, Singleton, Simpson, Sadler, Trimble, Tebbetts, Walker, Whittington, Wills, Watson, Wilson and Yochum—39.

The report was not adopted.

Mr. Carroll was called to the chair.

Mr. Trapnall from the committee on Judiciary to whom was referred House bill No. 9, entitled:

"An act to repeal the 3rd, 6th and 8th section of an act amending an act entitled an act to incorportate the city of Camden reported a substitute entitled as above.

On motion of Mr. Trapnall said report was adopted and the bill read a third time and passed.

The following message was received from the Senate by the hands of the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Sen-

ate have adopted the following preamble and joint resolution to which the concurrence of the House of Representatives is respectfully asked.

Whereas frequent complaints have been made and evidently not without good cause of the perpetration of unlawful tyranny and unjustifiable outrages upon the persons of citizens of Arkansas by Brevet Brigadier General W. K. Belknap, commanding officer at Fort Gibson, and whereas all citizens of a sovereign State are entitled to equal rights under the Constitution of the United States, and whereas—all high handed abuse of power by the military is incompatible with the genius of American institutions, and in direct conflict with the spirit of the Federal Constitution, Therefore—

Resolved, That our Senators in Congress be instructed and our Representatives requested to exercise their influence in Congress to procure the passage of a law defining the powers of officers of the Federal Government and the rights and privileges of American citizens in the Indian Territory.

The Senate have passed a bill to be entitled "an act to change the name of Lucy Elizabeth Frensley to the name of Lucy Elizabeth McIntire, and to constitute her a lawful heir of James McIntire and wife" which is herewith transmitted for the assent of the House of Representatives.

The Senate have concurred in the resolution of the House of Representatives making the committee on Federal Relations a joint committee.

The committee on the part of the Senate are

Messr. Burrow, Izard, Watkins, McLain, Rector, Poindexter and Huey.

JOHN M. ROSS,
Secretary of the Senate.

Reports from select committees were in order.

Mr. Leslie made the following report.

Mr. Speaker—

The Select Committee to whom was referred Senate bill No. 5 for the relief of Jesse Mooney, late sheriff of Marion county, have had the same under consideration and after due deliberation have instructed me to report the same back to the House without amendment and recommend its passage.

LESLIE, Chairman.

Which report was not adopted.

On motion of Mr. Trapnall said was bill referred to the committee on Ways and Means.

Mr. Miller gave notice that he would on Saturday next ask leave to introduce a bill to exempt all men from paying a poll tax who are over forty years old.

Mr. Ferguson introduced the following resolution:

Resolved, That the committee on memorials be instructed to memoralize Congress to grant to actual settlers a quarter section of land each, and that our Senators be instructed and our Representatives requested to use all honorable exertions to procure the passage of such an act.

Which was adopted.

Mr. Cline introduced the following resolution:

Resolved, That the Standing Committee on education be instructed to inquire into the expediency of so regulating the sale of the 16th section as to permit any part of it to sell for a sum not less than one dollar and twenty-five cents per acre provided said lands have been twice offered for sale and have failed to bring two dollars per acre as now required by-law.

Which was adopted.

Mr. Armstrong gave notice that he would on Saturday next ask leave to introduce a bill to change the name of Mary Malissa Starnes, to Mary Malissa Starnes Kennedy, and constitute her a legal heir of A. G. Kennedy.

Mr. Sadler introduced a bill to be entitled "an act to amend the 139th chapter of English's Revised Statutes under head of settlement by collections."

Which was read a first time and ordered to a second reading on to-morrow.

Mr Sissel gave notice that he would on to-morrow or soon thereafter introduce a bill to make a new county out of a portion of the counties of Hempstead, Ouachita, Union and Lafayette.

Mr. Speaker resumed the chair.

Mr. Walker introduced a bill to be entitled "an act for the relief of R. B. Sagely, sheriff of Franklin county."

Which was read a first time.

On motion of Mr. Walker the rules were suspended, said bill was read a second and third time and passed.

Mr. Ferguson introduced a bill to be entitled "an act to prevent speculation in donation lands and to dispense with the making of improvements thereon by minors and married women."

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Brewton gave notice that he would on Monday next or some day thereafter, introduce a bill to be entitled "an act for the relif of Thos. Howell of Pope county.

Mr. Miller introduced the following resolution:

Whereas, many of the 16th sections donated by Congress to the State for school purposes have been found to be wholly worthless and entirely unavailable to the ends of the donation.

Therefore, be it resolved, That the committee on memorials be instructed to draft a suitable memorial to the Congress of the United States, praying the right for each township where the 16th secton or a legal subdivision of the same is valueless to float the whole or any part on any unappropriated lands lying in such township, a majority of the householders to determine that matter, and that said memorial instruct our Senators and Representatives in Congress to do all they can to procure the passage of a bill looking to the above object.

Which was adopted.

Mr. Woodward gave notice that he would on to-morrow morning introduce a bill to amend the 80th chapter of the Revised Digest under the title of Guardians and Wards.

Mr. Stewart of Green, introduced a bill to be entitled "an act to amend the 94th section of 95th chapter of the Digest."

Which was read a first time.

On motion of Mr. Witherspoon the rules were suspended the bill read a 2d time and referred to a select committee consisting of

Messrs. Witherspoon, Stuart of Green and Adams.

Mr. James introduced a bill to be entitled, "An act to change the time of holding elections for judges of the Circuit Court, of the county and Probate Court, of Prosecuting Attorney's and for commissioners of the several boards of Internal Improvements of the State of Arkansas."

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Ayers introduced a bill to be entitled "an act to declare King's river in Carroll county a navigable stream."

Which was read a first time.

On motion of Mr. Ayers the rules were suspended the bill read a second time and referred to a select committee consisting of Messrs. Ayers, Denton and Dodson.

On motion of Mr. Preston the report of the committee on Elections relative to the contested election in Monroe county was taken up.

Mr. Trapnall moved to recommit the report to the committee on Elections, with instructions to report a synopsis of the facts in the case;

Which motion prevailed.

Mr. Baker introduced a bill to be entitled "an act to change the name of Harriet A. E. Frailey to Harriet A. E. Folsom;

Which was read a first time.

On motion of Mr. Baker the rules were suspended said bill read a second time and referred to the committee on the Judiciary.

Mr. Harris gave notice that he would on to-morrow ask leave to introduce a bill to exempt the citizens of Maumelle township in Poinsette county from serving on the grand or pettit juries during the spring term of the Circuit Court.

Mr. Miller gave notice that on Monday next he would ask leave to introduce a bill to be entitled "an act to class the roads in Franklin county and to define the duties of overseers in said county.

Mr. Tobey introduced a bill to be entitled "an act to repeal the third section of chapter 4th of the Statutes of Arkansas."

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Carroll introduced a bill to be entitled "an act to exempt a homestead from execution or forced sale."

Which was read a first time and ordered to a second reading on tomorrow.

Mr. Moore gave notice that on Thursday next he would ask leave to introduce a bill to amend the 58th and 102nd chapter of the Revised Statutes of Arkansas.

Mr. Atkins introduced the following resolutions:

Resolved, Whereas, it appears there are no U. S. troops stationed on the frontier line from Missouri to Red river Texas for the safety of citizens and individual property on the frontier line.

Resolved, therefore, That the committee on Memorials be and are hereby instructed to memoralize our Senators and Representatives in Congress to urge the necessity of donating 80 acres of land to every man of family living within twenty miles of the Indian line that will prepare himself with a good rifle and supply of ammunition and be in readiness to suppress any hostilities that may arise in the nation west of Arkansas.

Which was adopted.

Mr. Foreste gave notice that on Tuesday next he would introduce a bill for the purpose of bringing the Banks in this State to a speedy close of all their banking arrangements.

Mr. Foreste introduced a bill to be entitled an act for the relief of free males over the age of forty-five.

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Trapnall introduced a bill to be entitled an act to amend an act to provide for the election of judges of the circuit courts &c., approved Dec., 29th, 1848.

Which was read a first time.

On motion of Mr. Trapnall the rules were suspended, the bill read a 2d time by title and referred to the committee on the Judiciary.

Mr. Denton gave notice that on to-morrow or some subsequent day thereafter he would ask leave to introduce a bill making persons endorse themselves as prosecutors and be liable for the costs in certain cases.

Mr. Bailey moved that the House adjourn.

Which was lost.

Senate bill No. 2 to be entitled an act for the benefit of Freeman Jackson was taken up and read a first time.

On motion of Mr. Basham the rules were suspended and the bill read a 2d time by title and referred to a select committee consisting of Messrs. Basham, Cline and Tobey.

Mr. Miller moved an adjournment which was lost.

Senate bill No. 7 to be entitled an act to change the time of holding the Probate court of Crittenden county was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 4 to be entitled an act to change the time of holding the Probate court of Pope county was taken up and read a second time.

On motion of Mr. Tobey said bill was referred to a select committee consisting of

Messrs. Tobey, Nettles and Adams.

The joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to use their best exertions to procure the establishment of a tri-weekly stage-line from Little Rock to Fort Smith on the south side of the Arkansas river and to establish post offices on said route,

Was taken up and read a first time and ordered to a second reading on to-morrow.

The message from the Senate in relation to authorizing the joint committee on Banks to send for persons and papers and to employ a clerk or clerks was taken up and concurred in, House bill No. 13 to be entitled an act to amend the 10th section, 145th chapter of the Digest of the Statutes of Arkansas, under the head of schools and school lands was taken up and read a 2d time and on motion of Mr. Wilson referred to the committee on Education.

House bill No. 21 to be entitled an act to change the mode of voting in this State was taken up and read a 2nd time.

Mr. Singleton moved that the bill be rejected.

Mr. Blackemore called for the ayes and noes on said motion, which call was sustained and the roll called.

Those members who voted for the rejection of the bill are

Messrs. Adams, Anderson, Armstrong, Bailey, Billingsley, Blakemore, Cline, Dodd, Emerson, Ferguson, Gordon, Greene, McRae, Murph, Rogers, Rosson, Singleton, Trapnall, Woodward, Watson and Wilson—21.

Those members who voted against the rejection of the bill are

Messrs. Atkins, Ayers, Baker, Basham, Brewton, Carroll, Coldwell, Cauthron, Chandler, Denton, Eaton, Embry, Farmer, Foreste, Fletcher, Gilmer, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Yochum and Mr. Speaker—52.

So the bill was not rejected.

On motion of Mr. Harris the bill was referred to the committee on Elections.

Mr. Brewton moved that the House adjourn;

Which was lost.

House bill No. 23 to be entitled an act respecting overseers of roads, was taken up and read a 2nd time.

On motion of Mr. Nettles said bill was referred to the committee on Internal improvements.

Mr Sevier introduced a bill to be entitled an act to prevent non-residents of this State from becoming executors or administrators.

Which was read a first time and ordered to a second reading on to-morrow.

On motion of Mr. Fletcher the House adjourned.

T. B. FLOURNOY, *Speaker.*

THURSDAY, Nov. 14, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Woodward presented the petition of sundry citizens of Desha county, asking that that portion of Desha county lying west of Bayou Bartholomew be cut off from Desha county, and annexed to Drew county; and that the said Bayou Bartholemew be made the boundary line between the counties of Drew and Desha.

On motion of Mr. Woodward said petition was referred to the committee on counties and county lines.

Mr. Sissel presented a petition of 639 citizens of Ouachita, Union, and Hempstead counties, asking for the establishment of a new county out of portions of Hempstead, Ouachita, Lafayette and Union counties.

Which on motion of Mr. Sissel was referred to the committee on counties and county lines.

Mr Greene presented the petition of sundry citizens of the counties of Sevier, Hempstead, Pike and Polk, asking for the establishment of a new county.

On motion of Mr. Greene said petition was referred to the committee on counties and county lines.

Reports from standing committees were in order.

Mr. Witherspoon from the committee on elections to whom was re-committeed the report of said committee on the contested election in Monroe county made the following report.

Mr. Speaker:

I am instructed by the committee on elections to whom was referred back-the case of a contested election from the county of Monroe to make the following report:

That after making a careful and diligent examination of all the facts in the case as was made in the first report by your committee, that your committee can see no cause after a second examination to alter or amend the former report of this committee *except* that your committee would earnestly recommend to the House the original testimony as a portion of this report.

Respectfully submitted,
WITHERSPOON, Chairman.

Mr. Whittington moved to re-commit said report and papers to a select committee.

Which was lost.

On motion of Mr. Trapnall the report and papers were laid upon the table until to-morrow 10 o'clock, a. m.

The following message was rececived from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 8 to be entitled an act to change the name of Wm. Taylor to Wm. Taylor Tweedle, and to constitute him a legal heir to the estate of William Tweedle.

Which is herewith returned.

The Senate refuse to assent to House bill No. 11 to be entitled an act to give discretionary powers to the administrator of the estate of Charles Robertson, deceased.

JOHN M. ROSS,
Secretary of the Senate.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have reconsidered and assented to House bill No. 11 to be entitled an act to give discretionary powers to the administrator of Charles Robertson, deceased.

Which is herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Trapnall from the committee on the Judiciary to whom was referred House bill No. 16 to be entitled an act to repeal the 3rd and 4th sections of the 6th article of the Revised Digest under the head of criminal law and to substitute others in the lieu thereof reported the same back to the House without amendment and recommended its passage.

Whereupon the bill was read a third time.

Mr. Walker called for the ayes and nays, on the final passage of the bill which call was sustained and the roll called.

Those members voting in the affirmative are

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Singleton, Stuart of Green, Sissel, Sevier, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson, Yochum and Mr. Speaker—63.

Those voting in the negative are,

Messrs Foreste, Fletcher, Johnson, Miller, Moore, Russell, Steward of Crawford, Sadler and Walker—9.

So the bill was passed.

Mr. Trapnall from the committee on the Judiciary, to whom was referred House bill No 20, to be entitled "an act to repeal section 23 and 24 of chapter 65 of the Digest of the Revised Statutes in relation to estrays "reported the same back to the House and recommended its rejection.

Whereupon said report was adopted and the bill rejected.

Reports from select committees were in order.

Mr. Carroll from the select committee to whom was referred the petition of Benj. F. Danley, Sheriff of Pulaski county reported to the House a bill to be entitled "an act for the relief of Benj. F. Danley, Sheriff of the county of Pulaski," and recommended its passage.

Said bill was read a first time.

On motion of Mr. Carroll, the rules were dispensed with and said bill was read a second and third time and passed.

Mr. Tebbetts was called to the chair.

Mr. Basham from the select committee, to whom was referred Senate bill No. 2, to be entitled "an act for the benefit of Freeman Jackson—made the following report:

Mr. Speaker:

The select committee, to whom was referred Senate bill No. 2, to be entitled "an act for the benefit of Freeman Jackson," have had the same under consideration, and have instructed me to report the same back to the House without amendment and recommend its passage.

Whereupon the bill was read a third time and passed.

Mr. Ayers made the following report:

Mr. Speaker:

The select committee to whom was referred House bill No. 30, to be entitled "an act to declare Kings river a navigable stream," have had the same under consideration and have instructed me to report the same back to the House without amendment, and recommend its passage.

Whereupon the bill was read a third time and passed.

Mr. Tobey made the following report:

Mr. Speaker:

The select committee to whom was referred Senate bill No. 4, to be entitled "an act to change the time of holding the Probate court in the county of Pope "ask leave to report that they have had the same under consideration and would respectfully recommend its passage without amendment.

Whereupon the bill was read a third time and passed.

Motions and resolutions were in order.

Mr. Denton with leave introduced a bill to be entitled "an act regulating costs in prosecutions in cases less than felony."

Which was read a first time.

On motion of Mr. Denton, the rules were dispensed with said bill was read a second time and referred to the committee on the Judiciary.

Mr. Sissel gave notice that he would at some future day introduce a bill for the relief of Andrew J. Roberts of Hempstead county Arkansas.

Mr. Dodd gave notice that on Wednesday next or shortly thereafter he would introduced a bill to give mileage to grand and petit jurors and witnesses in going to and from the seat of justice.

Mr. Harris introduced a bill to be entitled "an act for the relief of James Davidson, Sheriff of Poinsett county.

Which was read a first time.

On motion of Mr. Harris, the rules were dispensed with said bill was read a second time and referred to a select committee consisting of five.

Whereupon the Speaker appointed Messrs Harris, Coldwell, Greene, Morton and Tappan as such committee.

Mr. Coldwell introdnced a bill to be entitled "an act to amend the revenue law of this State.".

Which was read a first time.

On motion of Mr. Fletcher, two hundred copies of said bill were ordered to be printed for the use of both Houses.

Mr. Eaton gave notice that he would on some future day introduce a bill to give privileges and to incorporate joint stock companies for manufacturing purposes in this State.

Mr. Atkins introduced a bill to be entitled "an act for the relief of Polk county."

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Woodward gave notice that he would on Saturday next beg leave to introduce a bill to repeal the 11th section of 159th chapter of the Digest of the Statutes under the title of Taverns and Groceries.

Mr. Armstrong introduced a bill to be entitled "an act to repeal the 153d chapter of the Digest of the Statutes under the title of runaway slaves."

Which was read a first time.

On motion of Mr. Woodward, the rules were suspended and the bill read a second time and referred to the committee on the Judiciary.

Mr. Carroll introduced the following resolution;

"*Resolved*, That so much of the message of the Governor as refers to the law as laid down in chapter 139, Digest of the Statutes of Arkansas, relating to making out and returning the assessment lists, be and the same is referred to the committee on the Judiciary with instructions to report by bill or otherwise."

Which was adopted.

On motion of Mr. Cline the orders of the day were taken up.

The Joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to procure the establishment of a tri-weekly line of Stages from Little Rock to Fort Smith on the South side of the Arkansas river—was taken up and read a second time.

Mr. Cline moved to amend by adding "also a tri-weekly line of Stages from Van Buren to Fayetteville."

Which was adopted.

Mr. James moved to amend by inserting the words "commencing at Pine Bluffs thence by Little Rock."

Which was adopted.

On motion of Mr. Morton the rules were dispensed with, the joint resolution as amended was read a third time and concurred in, House bill No. 36, to be entitled "an act to prevent non residents of this State from becoming executors or administrators."

Was taken up and read a second time.

And on motion of Mr. Sevier, referred to the committee on the Judiciary.

On motion of Mr. Blakemore, the amendments proposed by the last Legislature to the constitution were taken up and read a second time.

On motion of Mr. Carroll, the said amendments were referred to the committee on the Judiciary.

On motion of Mr. Sevier, the House adjourned.

T. B. FLOURNOY, *Speaker*.

FRIDAY, Nov. 15th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Mr. Speaker laid before the House the following communication from Tho's W. Newton, Esq., Secretary of the board of trustees of the Real Estate Bank.

Office of the Trustees of Real Estate Bank, }
of the State of Arkansas, }
Little Rock, Nov. 14, 1850.

Hon. T. B. Flournoy,
Speaker of the House of Representatatives.

Sir:

By order of the Board of Trustees of the Real Estate Bank of the State of Arkansas, I have the honor to transmit herewith, for the information of the General Assembly, a statement of the affairs of said Bank.

Very respectfully, your ob't serv't,
THO. W. NEWTON, *Secretary.*

When the deed of assignment was made on the 2d April, 1842, the Real Estate Bank was indebted as follows, viz:

For outstanding sold Bonds, 1,530 in number,	$1,530,000 00
" 6 per cent. interest on the same. then due,	75,735 00
" Amount received on 500 hypothecated Bonds,	122,389 77
" 6 per cent. interest on the same, then due,	7,648 00
" Notes issued by the Bank outstanding,	495,725 00
" Due to Banks and depositors,	165,410 00
	$2,396,907 77

To meet these demands, it had, in specie,	$ 53,551 62
" Principal and interest of loans on Notes and Bills,	2,000,192 00
" Real Estate, then valued at	34,394 92
" Amount due from other Banks,	30,242 82
" In notes Arkansas Banks and loan to the State,	364,535 40
	$2,482,916 76

Of the Notes and Bills, above specified, about $663,906 60 was on stock credit, that is to say, repayable by equal annual instalments, running to 1856; and, second, by mortgages on lands; the balance by personal security.

The Bank now stands indebted as follows:

For the 1,530 Bonds sold and outstanding, (except 57, redeemed, which are hereinafter credited in this account,) Principal,	$1,530,000 00
" Interest on the same to 1st October, 1850,	849,150 00
" Amount received on 500 hypothecated Bonds,	122,389 77
" Interest on same from 7th September, 1840,	73,434 40
" Notes issued by the Bank *now outstanding*,	55,880 00
" Amount due to depositors on certificates, and to	

individuals,	10,328 89
" Amount due to depositors to be credited on notes,	53,038 89
" " " " Banks,	157 31
	$2,694,379 26

To meet these demands, there are as follows:

Amount of *Stock Notes*, and the interest thereon, secured by mortgages on land, payable by annual instalments, running to 1856,	$ 884,379 40
Amount of *Notes and Bills*, with personal security, and interest thereon,	1,299,979 02
60,176, 98-100 acres of Land, which has been taken by the Trustees in payment of debts upon compromises, and as security for debts—the most of it purchased under decrees of court upon foreclosure of mortgages,	363,795 66
57 *Real Estate Bonds*, with the interest thereon when taken, amounting to	80,629 00
Amount due from Banks,	387 74
Real Estate, being the cost of the Banking House, city of Little Rock,	24,256 99
6 *Bonds* of the State of Arkansas, bearing 5 per cent. interest, dated 30th June, 1841, and due 30th June, 1851, being the balance of a loan to Governor Yell, under the charter of Bank, and interest to 1st Oct., 1850,	8,400 00
	$2,661,827 81

Of the Land mentioned above, 7,303 20-100 acres has been purchased in by the Trustees, under decrees of court, in Helena District, at nominal prices, and is not taken from the bills receivable, but is held as security for the payment of debts.

The Stock Notes mentioned, are secured by mortgages on lands, and the debt therefore supposed mostly to be good—it is payable by annual instalments, running to 1856.

Of the Notes and Bills, depending upon personal security, (though some of it is secured by deed of trust and mortgages,) no certain estimate can be given. Yet it may be assumed that one-half of the whole amount will be realized—which would give the sum of $649,989 51-100 on that account. The lands taken by the Bank, averaging, as they do, less than seven dollars per acre, and embracing some of the finest land in the State, it is supposed will not diminish the assets of the Bank.

Of the circulation of the Bank, there has been redeemed and canselled, since the deed of assignment was made, the sum of $439,845 —the sum of $55,880 being the whole amount of the circulation now outstanding—and, of this latter sum, $24,675 is held by Messrs Trapnall & Ringo, upon which they have demanded, from the Trustees, the payment, and also 10 per cent. interest thereon from the time of the suspension of specie payment, in 1839, by the Bank, and the matter is now pending before the Court on a Bill in Chancery.

The Trustees have now, in the vaults of the Bank, $400,000 of the redeemed notes of the Bank, which they intend to burn at their present meeting.

All which is respectfully submitted. 14th November, 1850.

THO. W. NEWTON, *Secretary.*

On motion of Mr. Trapnall, the communication was laid on the table and 200 copies ordered to be printed for the use of the House.

Petitions from counties were in order.

Mr. Trapnall with leave introduced the following resolution,

Resolved by the House of Representatives, that the Secretary of State, be, and he is hereby instructed to furnish this House with the original or a certified copy of the returns of the last August election, Monroe county for Representatives.

Which was adopted.

Reports from Standing committees were in order.

Mr. Trapnall from the committee on the Judiciary, to whom was referred House bill No. 38, to be entitled "an act regulating costs in prosecutions in cases less than felony," reported the same back to the House and recommended its rejection.

Whereupon the report was adopted and the bill rejected.

Mr. Imboden a member from Lawrence county, now appeared in the Hall and came forward took the oath, and took his seat.

Mr. Trapnall, from the committee on the judiciary to whom was referred House bill No. 12, to be entitled "an act to prohibit the publication, circulation, or promulgation of the abolition doctrines," reported back to the House a substitute entitled as above.

Which was read a first time.

On motion of Mr. Trapnall, the rules were dispensed with and the bill read a second time.

Mr. Eaton moved to amend by inserting the words "shall be hanged without the benefit of clergy until they are dead."

Which amendment was not adopted.

On motion of Mr. Trapnall the rules were dispensed with the bill read a third time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 42, to be entitled "an act to amend the 153rd chapter of the Digest of the Statutes under the title of runaway slaves" reported unfavorably to the bill, and recommended its rejection.

Which report was adopted and the bill rejected.

Reports from select committees were in order.

Mr. Wilson from a select committee to whom was referred the petition of Combs and Starr praying the privilege to build a mill dam across White river, near the mouth of War Eagle, reported a bill to be entitled "an act to authorize Asa Combs and —— Starr, to build a mill dam across White river in Benton county, near the mouth of War Eagle river," and recommended its adoption, which bill was read a first time.

On motion of Mr. Wilson the rules were suspended and the bill read a second time.

On motion of Mr. Cline the rules were suspended and the bill read a third time and passed.

Mr. James from a select committee made the following report:

Mr. Speaker:

The select committee to whom was referred a bill entitled "An act to change the time of holding the circuit court in the counties of Ashley, Chicot, Desha, Arkansas and Jefferson have had the same under consideration and have instructed me to report the bill without amendment back to the House and to recommend its passage.

JAMES, *Chairman.*

Which was adopted.

On motion of Mr. Bailey the bill was laid on the table until Tuesday next.

On motion of Mr. Eaton, the special order of the day was taken up.

The Speaker laid before the House the followidg communication from the Hon. David B. Greer, Secretary of State.

OFFICE OF THE SECRETARY OF STATE,
Nov. 15th, 1850.

SIR:—In answer to a resolution of the House of Representatives, I have the honor to transmit herewith the original abstract for the vote for Representative in the county of Monroe at the late general election.

Respectfully,
DAVID B. GREER,
Secretary of State.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives.

STATE OF ARKANSAS,
County of Monroe.

We the undersigned, Henry H. Hays, Clerk for the county of Monroe, T. B. Dawson, a householder, and Richard Harding, a housholder, having carefully examined the returns of an election held in the several townships in said county on the 5th day of August, (it being the first Monday in August,) A. D. 1850, and compared the same, do certify that at said election the votes for Representative to the State legislature appeared to be as follows to wit:

For Solomon J. Brandenburg,

In	Hampton township	16 votes.
"	Montgomery "	32 "
"	Jackson "	47 "
"	Cache "	18 "
"	Surrounded Hill "	19 "
"	Rock Roe "	00 "
		132

For Richard Pyburn,

In	Hampton township	30 votes.
"	Montgomery "	25 "
"	Jackson "	19 "
"	Cache	61 "
"	Surrounded Hill "	23 "
"	Rock Roe "	21 "
		179

Whereby it appears that the whole number of votes given for the Representative were three hundred and eleven, of which S. J. Brandenburg had one hundred and thirty-two, and Richard Pyburn one hundred and seventy-nine.

Given under our hands the 8th day of August, 1850.

H. H. HARGO, Clerk.
J. B. DAWSON, Householder.
R. HARDIN, Householder.

The question was upon the adoption of the report of the committee on elections relative to the contested election in Monroe county.

Mr. Eaton moved the previous question which was sustained.

Mr. Witherspoon called for the ayes and noes upon the adoption of the report of the committee, which was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs. Baily, Basham, Blakemore, Carroll, Cauthron, Chandler, Eaton, Ferguson, Farmer, Gilmer, Hardin, Jackson, Leslie, Lafferty, Mitchell, McRea, Moore, Nettles, Russell, Stewart of Greene, Sissel, Sevier, Tappan, Tobey, Witherspoon, Watson and Mr. Speaker—27.

Those members who voted in the negative are,

Messrs. Adams, Atkins, Anderson, Armstrong, Ayres, Baker, Billingsly, Bradley, Coldwell, Cline, Denton, Dodson, Dodd, Emerson, Embry, Foreste, Fletcher, Gordon, Greene, Hart, Harris, Imboden, James, Johnson, Kinsworthy, Miller, McIlroy, Morton, Patrick, Preston, Rogers, Rossin, Singleton, Steward of Crawford, Simpson, Sadler, Trimble, Trapnall, Tebbetts, Walker, Whittington, Woodward, Wills, Wilson and Yochum—45.

Messrs. Brewton and Pyburn were excused from voting.

So the report of the committee was not adopted.

Mr. Witherspoon moved that the committee on elections be discharged from the further consideration of the contested election in Monroe county and that it be referred to a select committee.

Mr. Carroll was called to the Chair.

Mr. Coldwell offered the following resolution as a substitute for the motion of Mr. Witherspoon.

Resolved, That Richard Pyburn, member elect from Monroe county, be entitled to retain his seat for the time prescribed by law.

Mr. Eaton called for the ayes and noes which was sustained, and the roll called.

Those members who voted in the affirmative are,

Messrs. Adams, Atkins, Anderson, Armstrong, Ayres, Baker, Billingsley, Bradley, Coldwell, Cline, Denton, Dodson, Dodd, Emerson, Embry, Foreste, Fletcher, Gordon, Greene, Hart, Harris, Imboden, James, Johnson, Kinsworthy, Miller McIlroy, Morton, Nettles, Patrick, Preston, Rogers, Rossin, Singleton, Stewart of Crawford, Sadler Trimble, Trapnall, Tebbetts, Walker, Witherspoon, Woodward, Wills, Wilson and Yochum—46.

Those members who voted in the negative are,

Messrs. Bailey, Basham, Blakemore, Carroll, Cauthron, Chandler, Eaton, Ferguson, Farmer, Gilmer, Hardin, Jackson, Leslie, Lafferty, Mitchell, McRea, Moore, Russell, Steward of Green, Sissel, Sevier, Tappan, Tobey, Witherspoon, Watson, and Mr. Speaker—26.

So the resolution was adopted.

Whereupon the Chairman announced that Mr. Pyburn was entitled to his seat the time prescribed by law.

The following message from the Senate was received by the hands of the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the following joint resolution.

Resolved by the General Assembly of the State of Arkansas, That our Senators in Congress be instructed and our Representative be requested to use their influence to have the bounty land law so extended as to include within its benefits the troops from Arkansas, called into the service of the United States in the year 1836, by a requisition from General Gaines acting under authority of the Secretary of War, *provided*, it shall be considered said troops are not embraced within the provisions of said law as it now stands.

Also the following joint resolution.

Resolved by the General Assembly of the State of Arkansas, That our Senators in the Congress of the United States, be instructed and our Representative be requested to exert their influence to procure the establishment by Congress of a mail route from Grand Lake, (on the west bank of the Mississippi River,) in the county of Chicot, to the town of Warren, in Bradley county, by the following specified route to wit:

From Grand Lake by De Bastrop, thence to Hamburg, the seat of justice of Ashley county, thence to Fountain Hill, thence to Longview, and thence to Warren.

Resolved further, That upon the adoption of these resolutions the Secretary of State be instructed to forward an authenticated copy to each of our Senators and Representative in Congress in all of which your honorable body is respectfully asked to concur.

The Senate have passed a bill to be entitled "An act to exempt the counties of Pulaski and Washington from the operation of the act passed 21st Dec., 1846, (Revised Digest, chapter 95, page 641,) establishing monthly justices court.

Also a bill to be entitled "An act to grant William T. Wall a charter to turnpike Freeo Bottom," all of which are herewith transmitted for the assent of the House of Representatives.

The Senate have assented to the House bill No. 2, to be entitled "An act for the relief of James Fleming and Mrs. Shropshire Administrator and Administratrix of the estate of Hudson J. Shropshire, deceased, which is herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Sevier the joint resolution of the Senate No. 8, relative to the establishment of a mail route from Grand Lake to Warren, was taken up and read a first time.

On motion of Mr. Bailey the rules were suspended and the joint resolution read a second and third time and passed.

On motion of Mr. Lafferty leave of absence was granted Mr. Cauthron on account of indisposition.

Mr. Baker gave notice that he would on Monday next, or as soon thereafter as convenient ask leave to introduce a bill to incorporate the Soulsberry College at Batesville, Arkansas.

Mr. Russell introduced a bill to be entitled "An act to prohibit persons from quartering slaves on plantations or other places without overseers," which was read a first time.

Mr. Russell moved that the rules be suspended so that the bill might be read a second time, which was lost.

Mr. Woodward introduced a bill to be entitled "An act to amend the 80th chapter of the Digest of the Statutes," which was read a first time.

Mr. Woodward moved that the rules be suspended so that the bill might be read a second time which was lost.

Mr. Steward of Crawford, introduced a bill to be entitled "An act to amend the 75th chapter of the Revised Statutes of Arkansas, concerning free negroes and mulattoes" which was read a first time and ordered to a second reading on to-morrow.

On motion of Mr. Whittington 200 copies of said bill were ordered to be printed for the use of the House.

Mr. James introduced a bill to be entitled "An act directing the Secretary of State to purchase for each county in the State one copy of Langtree's sectional map of the State of Arkansas, and to make distribution of the same," which was read a first time and ordered to a second reading to-morrow.

Mr. Emerson gave notice that he would on Monday next, introduce a bill for the relief of John W. Fullerton, late sheriff and collector of Hot Spring county.

Mr. Hardin introduced a bill to be entitled "An act to exempt the county of Lawrence from so much of the provisions of chapter 94 of the Revised Code as relates to the manner of summoning of petit jurors," which was read a first time and ordered to a second reading on to-morrow.

Mr. Sevier introduced a bill to be entitled "An act to establish the county of Calhoun," which was read a first time.

Mr. Speaker resumed the Chair.

On motion of Mr. Sevier the rules were suspended and the bill read a second time and referred to the committee on counties and county lines.

Mr. Carroll moved that 100 copies of said bill be printed for the use of the House, which was lost.

Mr. Harris introduced a bill to be entitled "An act to exempt the citizens of Maumelle township in the county of Poinsett from serving on grand and petit juries during the spring term of the circuit court," which was read a first time.

On motion of Mr. Harris the rules were suspended and the bill read a second and third time and passed.

Mr. Foreste moved a reconsideration of the vote given yesterday on the rejection of the House bill No. 20, to be entitled "An act to repeal section 23 and 24 of chapter 65 of the Digest of the Revised Statutes in relation to estrays," which was lost.

On motion of Mr. Eaton the House adjourned.

T. B. FLOURNOY, Speaker.

SATURDAY, NOV. 16, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Tebbetts leave of absence was granted to Mr. Cauthron from indisposition.

Petitions from committees were in order.

Mr. Gordon presented the petition of Jonathan Hardin of Conway county, "asking the General assembly to grant him the right to make a turnpike road from Newell's stand on Palarm creek, to the residence of the petitioner on Cadron creek in Conway county, and to bridge Muddy Bayou and to charge toll thereon.

On motion of Mr. Gordon the said petition was referred to the committee on Internal Improvement.

Reports from standing committees were in order.

Mr. Tappan from the committee on enrollments made the following report.

Mr. Speaker:

The joint committee on enrolled bills have examined "An act to change the name of William Taylor to William Taylor Tweedle," also "An act for the relief of James Fleming and Mrs. Shropshire, Administrator and Administratrix of the estate of Hudson J. Shropshire deceased," also "An act to give discretionary power to the Administrator of Charles Robertson deceased," and have instructed me to report the same correctly enrolled.

Which was adopted.

Mr. Trapnall from the committee on the Judiciary to whom was referred the amendments to the constitution proposed by the last legislature reported that the general usage of the House had been to read the amendments proposed to the constitution on three several days, and to take the ayes and noes upon each reading and recommended that the House should adopt such usages in the present instance, and that proper publication according to law had been made of said amendment.

Which was adopted.

On motion of Mr. Trapnall, Monday next was fixed for the first reading of the said amendments.

Reports from select committees were in order.

Motions and resolutions were in order.

The orders of the day were then taken up.

The joint resolution of the Senate No. 3, instructing our Senators and requesting our Representative in Congress to procure the passage of a law defining the powers of officers of the Federal Government, and the rights and privileges of American citizens in the Indian country beyond the limits of any State or organized territory, was taken up and read a second time, and on motion of Mr. Trapnall referred to the committee on the militia.

The joint resolution of the Senate No. 6, instructing our Senators and requesting our Representative in Congress to use their influence to have the bounty land law so extended as to include the troops from Arkansas, called into the service of the United States by a requisition from General Gaines, acting under the authority of the Secretary of War, *provided*, it shall be considered said troops are not embraced within the provisions of the law as it now stands.

Which was taken up and read a first time.

On motion of Mr. Carroll the rules were suspended and the resolution read a second time.

On motion of Mr. Tappan the resolution was referred to the committee on the militia.

Senate bill No. 7, to be entitled "An act to change the time of holding the Probate Court in Crittenden county," was taken up and read a first time and ordered to a second reading on Monday, next.

Senate bill No. 9, to be entitled "An act to change the name of Lucy Elizabeth Frensley, to the name of Lucy Elizabeth McIntire, and to constitute her the lawful heir of James McIntire and wife," was taken up and read a first time.

On motion of Mr. Tebbetts the rules were suspended and the bill read a second time.

On motion of Mr. Sissel the rules were suspended and the bill read a third time and passed.

Senate bill No. 12, to be entitled "An act to grant William T. Wall a charter to turnpike Freeo Bottom," was taken up and read a first time.

On motion of Mr. Eaton the rules were suspended and the bill read a second time by the title, and referred to the committee on Internal Improvement.

Senate bill No. 17, to be entitled "An act to exempt the counties of Pulaski and Washington from the operation of the act passed 21st December 1846, (Revised Digest, chapter 95, page 641) establishing monthly Justices courts" was taken up and read a first time.

Mr. Woodward was called to the Chair.

On motion of Mr. Cline the rules were suspended and the bill read a second time and referred to the committee on the Judiciary.

House bill No. 1, to be entitled "An act concerning sheriffs," was taken up and read a third time.

Mr. Nettles moved to lay said bill on the table till Monday next.

Which was lost.

Mr. Blakemore called for the ayes and nays, on the passage of the bill which was sustained and the roll called.

Those members voting in the affirmative are,

Messrs Coldwell, Hardin, Imboden Lafferty, Mitchell, McIlroy, Nettles, Preston, Stuart of Green, Sevier, Tappan, Trapnall, Tobey, Witherspoon and Woodward—15.

Those members voting in the negative are,

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Harris, Jackson, James, Johnson, Leslie, Miller, McRae, Morton, Moore, Patrick, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Sissel, Simpson, Sadler, Trimble, Tebbetts, Walker, Whittington, Wills, Watson, Wilson, Yochum and Mr. Speaker—57.

So the bill was rejected,

Mr. Speaker resumed the chair.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate refuse to concur in the amendments of the House of Representatives, to joint Resolution of the Senate instructing our Senators and requesting our Representative in Congress to use their influence to have a tri-weekly stage line established from Little Rock to Fort Smith on the South side of the Arkansas river, and have appointed Messrs Chism and Bruton a committee on the part of the Senate, to confer with such committee as may be appointed on the part of the House of Representatives on the disagreement of the two Houses.

The Senate have assented to House bill No. 37, to be entitled "an act for the relief of Benjamin F. Danley Sheriff of Pulaski county," which is herewith returned.

The Senate have passed "an act to reduce the price of the sixteenth sections in the counties of Randolph and Green."

Which is herewith transmitted for the assent of your honorable body.

JOHN M. ROSS,
Sec'y of Senate.

The following message from the Senate was also received.

Mr. Speaker:

I have the honor to present for your Honor's signature "an act to change the time of holding the probate court in the county of Pope."

Also "an act to change the time of holding the probate court in and for the county of Clark."

Also a joint resolution instructing our delegation in Congress to establish a mail route from Grand Lake to Warren.

JOHN M. ROSS,
Sec'y of Senate.

House bill No. 25, to be entitled "an act to amend the 139th chapter of English's Revised Statutes, under the head of Settlements by collectors "was taken up and read a second time.

On motion of Mr. Fletcher, said bill was referred to the committee on ways and means.

House bill No. 27, to be entitled "an act to prevent speculation in donation lands and to dispense with the making of improvements thereon by minors and married women."

Was taken up and read a second time.

On motion of Mr. Cline said bill was referred to the committee on the Judiciary.

Mr. Bradley introduced the following resolution.

"*Resolved,* That the Financial Receiver of the State Bank of Arkansas be requested to furnish to the committee on Banks a full and distinct list of all the bills and mortgages to the Branch Bank at Fayetteville which are represented in his official report to have been barred by the Statutes of limitation, and lost to the State by the neglect of the officers of said Branch Bank in having suffered said notes to run out of date without suit, also to give in each case the name of the officer having charge of said notes with such other information relating thereto as he the Financial Receiver has been enabled to elicit during his administration of the affairs of said Branch Bank."

Which was adopted.

Mr. Bradley introduced the following resolution.

Resolved, That his Excellency the Governor be requested to transmit to this House all papers, reports, or other information that may be in his office, touching the interests of the Bank of this State, and that he also be requested to transmit to this House all imformation, papers, and action had in relation to the defalcation and removal from this State of Abner E. Thornton."

Which was adopted.

On motion of Mr. Coldwell, leave of absence was granted *M*r. Patrick for fifteen days.

*M*r. Tappan gave notice that on Tuesday next or as soon thereafter as may be convenient he would introduce a bill regulating the punishment of slaves.

Mr. Trapnall from the select committee to whom had been referred House bill No. 4, to be entitled "an act to grant a charter to Thomas S. Woodward to turnpike the Ouachita Swamp, opposite to Camden, and to keep a ferry across the Ouachita river," reported the same back to the House with an amendment and recommended it passage.

Which bill was on motion of Mr. Trapnall, made the special order of the day for Friday next.

Mr. Miller introduced the following resolution.

"*Resolved,* That our Senators in Congress be instructed and our Representative requested to use their best exertion to procure the establishment of a mail route from Ozark in Franklin county by way of Gaddis Miller,s and through the narrows of six mile to Waldron the county seat of Scott county, and further for the establishment of a Post office at the house of Gaddis Miller in Franklin county."

Which was adopted.

On motion of Mr. Cline the House concurred in the message from the Senate concerning joint resolution instructing our Senators and requesting our Representative in Congress to procure the establishment of a tri-weekly stage line from Little Rock to Fort Smith, on the South side of the Arkansas river.

And on further motion of Mr. Cline, Mr. Speaker appointed Messrs Cline, Walker, Sadler, Imboden, and James, as the committee on the part of the House to confer with the committee on the part of the Senate relative to the disagreement of the Senate to the amendment of the House to said joint resolution.

House bill No. 29 to be entitled "an act to change the time of holding the election of the judges of circuit, probate and county courts and prosecuting attornies and board of Internal Improvements commissioners," was taken up and read a second time.

And on motion of Mr. Wilson was referred to the committee on elections.

On motion of Mr. Watson one hundred copies of said bill was ordered to be printed for the use of the House.

Mr. Woodward with leave introduced a bill to be entitled "an act to repeal section 11, chapter 159, of Revised Statutes."

Which was read a first time.

On motion of Mr. Woodward the rules were suspended the bill read a second time, and referred to the committee on the Judiciary.

House bill No. 32, to be entitled "an act to repeal the 3d sec., chapter 4 of the Statutes of Arkansas, was taken up and read a second time and referred to the committee on the Judiciary.

House bill No. 33 to be entitled "an act to exempt a homestead from execution or forced sale," was taken up and read a second time.

And on motion of Mr. Farmer, was referred to the committee on the Judiciary.

On motion of Mr. Preston, 100 copies of said bill were ordered to be printed.

Mr. Morton gave notice that on next Thursday or some day thereafter he should ask leave to introduce a bill to be entitled an act amendatory of the Estray law.

House bill No. 34, to be entitled "an act for the relief of free males over the age of forty-five was taken up, read a second time, and on motion of Mr. Wilson was referred to the committee on ways and means.

House bill No. 41, to be entitled "an act for the relief of Polk county," was taken up and read a second time.

And on motion of Mr. Atkins, referred to a select committee, consisting of Messrs Atkins, Sevier, and Brewton.

Mr. Stuart of Green, moved an adjournment which was lost.

House bill No. 44, to be entitled an act to prohibit persons from quartering Slaves on plantations, or other places without overseers, was taken up and read a second time.

And on motion of Mr. James was referred to the committee on the Judiciary.

On motion of Mr. Bailey the House adjourned.

T. B. FLOURNOY,
Speaker of the House.

MONDAY, Nov. 18th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The Journal of Saturday was read and approved.

Mr. Speaker laid before the House the following communication from J. M. Ross Financial Receiver.

HON. T. B. FLOURNOY,
Speaker of the House of Rep's.

On the 16th inst. a resolution was adopted by the House of Representatives requesting the Financial Receiver of the State Bank to furnish the committee on Banks with a full and distinct list of all the bills and mortgages to the Branch Bank at Fayetteville, which are represented in his official report to have been barred by the Statute of limitation &c.

In response to said resolution I herewith furnish for the use of the committee on Banks a complete list of all the notes designated therein; with a copy of a letter to his Excellency Gov. Roane, accompanying a list of the same notes furnished him on the 5th day of October, 1849, which will show my action in relation to said notes.

The "list" herewith furnished, contains all the information in my possession of said notes. Upon the receipt of the list and my letter of the 5th inst. His Excellency dispatched an agent to the Fayetteville Branch Bank who reported direct to him from which report if laid before them I have no doubt the committee could get much valuable information.

I am very respectfully
Your obedient servant,

JOHN M. ROSS,
Financial Receiver.

RECEIVER'S OFFICE, STATE BANK,
Little Rock, November 18, 1850,

Petitions from counties were in order.

Mr. Sevier presented the petition of A. C. Owen and others of the counties of Ouachita, Lafayette and Union, asking for the establishment of a new county.

On motion of Mr. Sevier said petition was referred to the committee on counties and county lines.

Mr. Sevier presented the petition of Thomas Russell and others praying a detachment of a portion of Hempstead and the attaching of the same to the county of Lafayette.

Which was on motion of Mr. Sevier, referred to the committee on counties and county lines.

Mr. Trapnall presented the petition of H. Flanagin and others asking the General Assembly of the State of Arkansas, to empower William F. S. Barkman to build a bridge across Bayou de Roche and charge toll thereon.

Which was on motion of Mr. Trapnall, referred to a select committee consisting of Messrs Trapnall, Hart and Emerson.

Mr. Greene presented the petition of Gilson P. Jackson and others, praying the establishment of a new county, to be called "Webster County," out of portions of Hempstead, Sevier, Pike and Polk.

Which was on motion of Mr. Greene, referred to the committee on counties and county lines.

Reports from Standing committees were in order.

Mr. Preston made the following report:

Mr Speaker:

The committee on memorials to whom was referred a resolution of this House instructing them to draft a memorial to the Congress of the United States requesting a donation of not less than one quarter section of public land to each actual settler upon the public lands in this State have had the same under consideration, and have instructed me to report a memorial for that purpose.

PRESTON, Chairman.

Whereupon said memorial was read a first time and ordered to a second reading on to-morrow.

Reports from select committees were in order.

Mr. Atkins from a select committee to whom was referred House bill No. 41, to be entitled an act for the relief of Polk county, reported the same back to the House without amendment and recommended its passage.

Said bill was then read a third time and rejected.

Mr. Harris made the following report.

Mr. Speaker:

The select committee to whom was referred House bill, for the relief of Jas Davidson late sheriff of Poinsett county, have had the same under consideration and have instructed me to report the bill back to the House without amendment and recommended its passage.

HARRIS, Chairman.

The bill was then read a third time and passed.

Motions and resolutions were in order.

Mr. Trimble introduced a bill to be entitled an act amendatory of an act to distribute the proceeds of the 500,000 acre donation to the State of Arkansas for Internal Improvement.

Which was read a first time.

On motion of Mr. Trimble, the rules were suspended, and the bill read a second time by title, and referred to the committee on Internal Improvement.

Mr. Eaton introduced a bill to be entitled an act to incorporate Joint Stock Manufacturing companies.

Which was read a 1st time, and ordered to a second reading on to-morrow.

Mr. Whittington introduced the following joint resolution,

Resolved, by the General Assembly of the State of Arkansas, That our Senators in Congress be instructed and our Representative requested to use their exertions to procure an extension of the mail route recently established from Arkadelphia in Clark county to the county seat of Montgomery county to Waldron in Scott county.

Which was read a first time.

Mr. Sevier gave notice that he would on to-morrow, introduce a bill concerning Slaves.

Mr. Dodd introduced a bill to be entitled an act to appropriate the proceeds of the sale of the swamp and overflowed lands.

Which was read a first time.

On motion of Mr. Tebbetts said bill was rejected.

The following message was received from the Governor.

Mr. Speaker:

I am instructed to inform your Hon. body, that the governor has approved and signed an act entitled an act to give discretionary powers to the administrator of the estate of Chas Robertson deceased.

Also an act entitled an act to change the name of William Taylor to William Taylor Tweedle, and to constitute him a lawful heir to the estate of William Tweedle.

Also an act entitled an act for the relief of James Fleming and Mrs. Shropshire, administrator and administratrix of the estate of Hudson J. Shropshire, deceased.

M. L. BELL,
Private Sec'y.

The following message was received from the Senate.

Mr. Speaker—

I am instructed to inform your Hon. body that the Senate have assented to House bill No. 9, to be entitled an act to repeal the

3d, 6th, and 8th sections of an act amending an act entitled an act to incorporate the city of Camden.

Which is herewith returned.

The Senate have passed a bill to be entitled an act to confer jurisdiction on justices of the peace on the subject of Sabbath breaking.

Which is herewith transmitted for the assent of the House of Representatives.

Also a joint resolution requiring our delegation in Congress to use their influence to procure the establishment of a tri-weekly mail, in two horse post coaches, from Batesville via Yellville, Carrolton and Huntsville to Fayetteville all of which are herewith transmitted for the concurrence of the House.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Armstrong introduced a bill to be entitled an act to change the name of Mary Malissy Starnes of Ouachita county to that of Mary Malissy Starnes Kennedy, and to constitute her a lawful heir of A. G. Kennedy of Ouachita county.

Which was read a first time.

On motion of Mr. Armstrong, the rules were suspended, and the bill read a second and third time and passed.

Mr. Watson introduced a bill to be entitled an act to alter the time of holding the county and probate courts in the county of Union.

Which was read a first time.

On motion of Mr. Watson the rules were suspended, and the bill read a second and third time and passed.

Mr. Bradley introduced a bill to be entitled an act to change in part the time of holding the circuit courts of the 1st Judicial Circuit.

Which was read a first time.

On motion of Mr. Bradley, the rules were suspended and the bill read a 2d and 3rd time and passed.

Mr. Trimble introduced a bill to be entitled an act to exempt the county of Independence from the operation of the law in relation to the summoning of petit jurors.

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Emerson introduced a bill to be entitled an act for the relief of John W. Fullerton late Sheriff of Hot Spring county.

Which was read a first time.

On motion of Mr. Emerson the rules were suspended, and the bill read a 2d time and referred to a select committee consisting of Messrs Emerson, Hart and Wills.

Mr. Trapnall introduced a bill to be entitled an act for the relief of R. W. Johnson.

Which was read a first time.

On motion of Mr. Trapnall, the rules were suspended and the bill read a 2d time and referred to the committee on education.

Senate bill No. 7, to be entitled an act to change the time of holding the probate court of Crittenden county, was taken up and read a third time and passed.

Senate bill No. 19, to be entitled an act to reduce the price of the sixteenth sections, in the counties of Randolph and Green.

Was taken up and read a 1st time, and ordered to a second reading on to-morrow.

House bill No. 46, to be entitled an act to amend the 75th chapter of the revised Statutes of the State of Arkansas, concerning free Negroes and free Mulattoes.

Was taken up and read a second time and referred to the committee on the Judiciary.

House bill No. 45, to be entitled an act to amend the 80th chapter of the Digest of the Statutes under the title of guardian and Ward was taken up and read a 2d time and referred to the committee on the Judiciary.

House bill No. 40 to be entitled an act to amend the revenue laws of this State was taken up and read a 2nd time.

On motion of Mr. Whittington said bill was referred to the committee on Ways and Means.

House bill No. 47 to be entitled an act directing the Secretary of State to purchase for each county in this State one copy of Langtree's sectional map and to make distribution of the same was taken up and read a second time.

On motion of Mr. Cline said bill was referred to the committee on Ways and Means.

House bill No. 48 to be entitled an act to exempt the county of Lawrence from so much of the provisions of chaprer 94 of the Revised code as relates to the manner of summoning petit jurors, was taken up and read a 2d time.

On motion of Mr. Whittington said bill was referred to the committee on the judiciary.

The following amendment proposed to the constitution by the last General Assembly to-wit:

That the words "except Washington county, which may be reduced to six hundred square miles" included in brackets in the 29th article be stricken out of said constitution, was taken up and read a first time.

The roll being called the following members voted for the adoption of the said amendments to the constitution

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Bailey, Baker Basham, Billingsley, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles, Preston, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson and Mr. Speaker—69.

Those who voted in the negative are

Messrs. Brewton and Johnson—2.

So the amendment was passed to a second reading.

On motion of Mr. Sevier the second proposed amendment was laid on the table till to-morrow morning 10 o'clock.

On motion of Mr. Trapnall,

Messrs. Witherspoon, Sevier, Tappan and Woodward were added to the committee on Public Printing.

On motion Mr. Eaton the House adjourned.

T. B. FBOURNOY, Speaker.

TUSEDAY, Nov. 19, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Reports from standing committees were in order.

Mr. Witherspoon from the standing committee on Elections made the following report:

Mr. Speaker:

I am instructed by the committee upon Elections to make the following report concerning the contested election of the county of Pope as regards a seat in this House.

Your committee find upon an examination of the testimony adduced before them, that there was a tie vote between Messrs. James G. Brewton and David West, and that notice being given by said West to said Brewton the polls were purged and it was found as represented to your committee by the testimony that two illegal votes were cast for James G. Brewton and four illegal votes were cast for David West.

Your committee would further respectfully beg leave to report, that a new election was ordered by the judges and that in the second election James G. Brewton received 232 votes, and David West received 171 votes as certified to the honorable Secretary of State by the clerk of the circuit court of Pope county, and your committee would respectfully state that they are of opinion that James G. Brewton is fully entitled to a seat in this House during the present session of the General Assembly.

Respectfully submitted,
WITHERSPOON, Chairman.

Which report was adopted.

Mr. Coldwell from the committee on Education to whom was referred House bill No. 60 to be entitled an act for the relief of Hon. Robt. W. Johnson reported the same back to the House without amendment and recommended its passage.

The bill was then read a third time and passed.

Mr. Coldwell from the committee on Education to whom was referred House bill No. 18 to be entitled an act to amend section 23rd of chapter 145 of the late Revised Statutes of the State of Arkansas on schools and school lands reported the same back to the House with an amendment.

The amendment and report was adopted.

The bill was then read a 3rd time as amended and was on motion of Mr. Morton laid on the table until to-morrow.

Mr. Tappan from the committee on the judiciary to whom was referred House bill No. 31 to be entitled an act to change the name of Harriet A. E. Frailey, reported the same back to the House without amendment and recommended its passage.

The bill was then read a third time and passed.

Mr. Coldwell from the committee on Education to whom was referred the Petition of John Wood and others reported that under existing laws the prayer of said petitionrs could not be granted.

On motion of Mr. Tebbetts said report and petitions were laid on the table until to-morrow.

Mr. Trapnall from the committee on the judiciary to whom was referred the amendments to the constitution proposed at the present session of the General Assembly reported the same back to the House and recommended their rejection.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 51 to be entitled an act to repeal the 11th section of 159th chapter of the Revised Statutes reported the same back to the House and recommended its rejection.

Which report was not adopted.

The bill was then read a third time and put upon its passage.

Mr. Sadler called for the ayes and noes which call was sustained and roll called.

Those members voting in the affirmative are

Messrs. Atkins, Armstrong, Bailey, Basham, Brewton, Carroll, Coldwell, Cauthron, Eaton, Farmer, Foreste, Gordon, Hardin, Johnson, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Nettles, Rogers, Russell, Steward of Crawford, Stuart of Green, Sissel, Sevier, Sadler, Tobey, Woodward and Watson—33.

Those members voting in the negative are

Messrs. Adams, Anderson, Ayers, Baker, Billingsley, Blakemore, Bradley, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Fletcher, Gilmer, Greene, Hart, Harris, Jackson, James, Kinsworthy, Leslie, Morton, Preston, Pyburn, Rosson, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Walker, Witherspoon, Whittington, Wills, Wilson, Yochum and *Mr.* Speaker—40.

So the bill was rejected.

The following message was received from the Governor, by his Private Secretary, M. L. Bell, Esq.

EXECUTIVE OFFICE,
Little Rock, Arkansas,
Nov. 18th, 1850.

Hon. T. B. FLOURNOY,
Speaker of the House of Rep's.

In response to the resolution passed on the 16th by the House, over which you have the honor to preside, I beg leave to state, that in the month of October, 1849, the Financial Receiver of the State Bank transmitted to this office his report, from which I learned that Abner E. Thornton, his immediate predecessor in the office of Financial Receiver of the Bank, was a defaulter. That he had, when detected from time to time paid over to the Bank various sums of money amounting in all to about $4000 and there was a balance of about $5000 remaining whch he refused to refund.

I also learned from this report, that A. E. Thornton, while an officer in the Bank had been guilty of *forgery*, *embezzlement*, and other crimes by which the Bank had been defrauded out of large sums of money, immediately upon the receipt of this report, I caused a copy of the same to be made out and delivered to John J. Clendenin, attorney general of the State of Arkansas.

I herewith transmit the report of the Financial Receiver—marked [A.] also a copy of my letter to the attorney general, accompanying said report—marked [B.]

The day after these documents were delivered to the attorney general, I left the State, to attend a convention to be held at Memphis to which I was a delegate. On my return after an absence of two weeks Abner E. Thornton had left the State; learning that he had removed to the State of Louisiana, I made a demand upon the Governor of that State for his delivery, and sent an agent to receive and bring him back. He could not be found, and is now I am informed in the Republic of Mexico.

On the 30th day of November, 1849, a copy of the accompanying communication marked [C.] drawn up under the provisions of law and signed by the Governor, and Treasurer was delivered to the attorney general ordering suit to be brought upon the official bond of said Thornton against his securities. This has been done and suit is now pending.

In the month of October, 1849, the Financial Receiver of the State Bank reported to me that——notes of the Fayetteville branch had been barred by the Statute of limitations and as a consequence heavy losses have resulted to the Bank.

Upon the receipt of this report which is herewith transmitted marked [D.] believing that officers during whose term of service such notes had been barred, could if afforded an opportunity satisfactorily explain the whole matter. I thought proper to direct the Hon. G. W. Clarke, who had been appointed Bank Commissioner and charged with the duty of collecting, the assetts of the Bank and settling with the different officers to investigate the conduct of those who had charge of the notes so barred. Accordingly on the 10th of November, 1849, I addressed a communication on this subject to Hon. G. W. Clarke, a copy of which marked [E.] is herewith transmitted. I herewith transmit the report of this investigation including the evidence taken during the examination together with the able vindication of himself and others made by A. M. Wilson, late attorney of said Bank against all charges of misconduct.

I have the honor,
to be respectfully,
JOHN SELDEN ROANE.

On motion of *Mr*. Preston said message and accompanying documents were referred to the committee on Banks.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 45 to be entitled an act to amend the 80th chap. of the Digest of the Statutes under the title of Guardians reported the same back to the House and recommended its passage.

Whereupon the bill was read a third time and passed.

Mr. Trapnall from the committee on the judiciary, to whom was referred Senate bill No. 17, to be entitled an act to exempt the county of Pulaski and Washington from the operation of the act passed 21st December, 1846, (Revised Statutes chap. 95 page 641) establishing monthly justices' courts, reported the same back to the House and recommended its rejection.

Which report was adopted.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 30 to be entitled an act to declare Kings river, in Carroll county a navigable stream.

Which is herewith returned.

The Senate have passed a bill to be entitled an act to repeal the ballot and revive the *viva voce* system of voting.

Which is herewith transmitted and the assent of your honorable body respectfully asked thereto.

The Senate have adopted a joint resolution instructing the joint committee on Auditor and Treasurer's books, to examine and audit all disbursements made by any of the Executive officers of the State, under special acts of appropriation and to report the same to this General Assembly and also report the amount of the contingent fund by each Executive officer specifying the object of such expenditure.

Which is herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS.
Sec'y of the Senate.

Reports from select committees were in order.

Mr. Emerson from the select committee to whom was referred House bill No. 59 to be entitled an act for the relief of John W. Fullerton, late Sheriff and Collector of Hot Spring county reported the same back to the House without amendment and recommended its passage.

The bill was then read a third time and passed.

The following message from the Senate was received by the Secretary—

Mr. Speaker:

I am instructed to present for your honor's signature an act to change the name of Lucy Elizabeth Frensley to Lucy Elizabeth McIntire and to constitute her a lawful heir of James McIntire and his wife.

JOHN M. ROSS
Sec'y of the Senate.

Motions and resolutionsn were in order.

Mr. Trapnall moved that the report of the Secretary of the board of Trustees of the Real Estate Bank be referred to the committee on Banks—

Which was adopted.

Mr. McIlroy introduced the following resolution:

Resolved, That our Senators in Congress be instructed and our Representative quested to use their exertions to have the mail carried from Little Rock to Pocahontas, Randolph county, by way of Batesville, Smithville and Jackson, in two horse port coaches instead of on horse back.

Which was adopted.

Mr. Farmer introduced a bill to be entitled an act to authorize Jesse Brashears and Daniel B. Morris, administrators of Zadoc Brashears, dec'd, to sell the personal property of said estate.

Which was read a first time.

On motion of Mr. Basham the rules were dispensed with and the bill read a 2d time by title and referred to a select committee consisting of

Messrs. Cline, Basham and Farmer.

Mr. Sevier introduced a bill to be entitled an act concerning the treatment of slaves;

Which was read a first time.

On motion of Mr. Sevier the rules were dispensed and the bill was read a 2nd time and referred to a select committee consisting of

Messrs. Sevier, Lafferty, Wills, Bailey and Kinsworthy.

Mr. Sissel introduced a bill to be entitled an act for the benefit of Andrew J. Roberts—

Which was read a first time.

On motion of Mr. Sissel the rules were dispensed with and the bill read a 2nd and 3rd time and passed.

Mr. Mitchell introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to report a bill fixing the time for holding the election for Representative in Congress, and that they be further instructed to propose in said bill the postponement of the election in February to the time fixed on for holding the election for Representative in Congress so as to save the people the trouble of but one election instead of two. Also that they be instructed to inquire into the practicability of fixing the law for holding the election for Representatives in Congress, so that after the next election, the election for said Representatives will come on at the same time and in the same year of the other general elections. As it now stands the election for Representative in Congress comes on in the year when there will be no general election. If there be no constitutional provision in the way they are instructed to report a bill making the election for Representatives in Congress to come off when the State elections do bienially.

Which was adopted.

Mr. Emerson introduced a resolution that the committee on Memorials be instructed to propose a suitable memorial to the Congress of the United States praying the erection of a great national hospital at Hot Springs for the cure of the afflicted poor who may be suffering with those diseases, in the cure of which the Hot Springs are considered infallable and that such memorial instruct our Senators and Representatives in Congress to give to the measure their warmest support.

Which was adopted.

Mr. Foreste introduced a resolution instructing our Senators and requesting our Representative in Congress to use their endeavors to procure the passage of a law to graduate the price of public lands that have been offerred for sale and not sold to fifty cents per acre, which may be entered in any quantity not less than twenty acres.

Which was adopted.

Mr. Eaton gave notice that he would some day next week introduce a bill by the passage of which the people will be saved the payment of taxes to the amount of from twenty-five to thirty five thousand dollars per annum, and the State and county revenue will not be diminished one cent.

Mr. Cauthron gave notice that to-morrow or some convenient day thereafter he would ask leave to introduce a bill to call in the scrip of Scott county.

Mr. Fletcher introduced the following resolution—

Resolved, That the Auditor of Public Accounts be directed to report to this House as early as practicable a tabular statement of the number of acres of land assessed for taxation for the year 1850, in each of the counties of the State with the average value of such assessment per acre in each county, respectively. Also that he report the number of acres in each county that were assessed for that year at the rate of three dollars per acre and that he accompany said report, with an estimate of the probable diminution of the State revenue that would result from the repeal of the revenue act as fixes a minimum rate of value on all lands subject to taxation.

Which was adopted.

Mr. Dodd introduced the following resolution:

Resolved, That the committee on public lands be instructed to inquire—

First, What is the present condition of the Salt Springs and land thereto attached belonging to this State, whether the same or any part thereof are under lease, if so, for how long and at what prices, whether any action has been taken in reference to said springs by the executive of the State since the last session of the General Assembly and if any, what?

Second, That the said committee enquire into the expediency of selling said springs and lands attached thereto and appropriating the proceeds thereof to common school purposes, also the best method of selling the same, and that they report by bill or otherwise at as early a day as practicable.

Which was adopted.

Mr. Lafferty gave notice that he would on to-morrow ask leave to introduce a bill for the purpose of sinking a salt well in Van Buren county, Arkansas.

Mr. Wills introduced a bill to be entitled an act to allow additional fees to justices of the peace for their duties in relation to estrays.

Which was read a first time.

On motion of Mr. Wills the rules were dispensed with and the bill read a 2d time and referred to a select committee consisting of Messrs. Wills, Baker and Lafferty.

On motion of Mr. Singleton the orders of the day was taken up.

House bill "T." to be entitled an act to change the time of holding the circuit courts in the counties of Ashley, Chicot, Desha, Arkansas and Jefferson was taken up and read,

On motion of Mr. Bailey it was recommitted to a select committee consisting of

Messrs. Bailey, James, Rogers, Singleton and Eaton.

Senate bill No. 19 to be entitled an act to reduce the price of 16th sections in the counties of Randolph and Green was taken up and read a second time and referred to the committee on Education.

Senate bill No. 21 to be entitled an act to confer jurisdiction on justices of the peace on the subject of Sabbath breaking was taken up, read a first time and ordered to a second reading on to-morrow.

The joint resolution of the Senate instructing our Senators and Representatives to use their influence to procure the establishment of a mail to be carried in two horse post coaches from Batesville via Yellville, Carrollton, Huntsville to Fayetteville in Washington county, was taken up and read a first time and ordered to a second reading on to-morrow.

House bill No.— to be entitled an act to incorporate joint stock manufacturing companies,

Was taken up and read a 2nd time and was on motion of Mr. Eaton referred to the committee on the judiciary.

The second proposed amendment to the constitution was then taken up and read a first time.

The question now arose upon its adoption.

The roll being called the following members voted in the affirmative, to-wit:

Messrs. Armstrong, Ayres, Bailey, Basham, Billingsley, Bradley, Carroll, Denton, Dodson, Eaton, Embry, Farmer, Fletcher, Harris, James, Kinsworthy, Leslie, Murph, Morton, Moore, Nettles, Preston, Pyburn, Rosson, Singleton, Stuart of Green, Sissel, Sadler, Tappan, Trapnall, Walker, Woodward and Mr. Speaker—33.

Those members who voted in the negative are

Messrs. Adams, Atkins, Anderson, Baker, Blakemore, Brewton, Cauthron, Chandler, Cline, Coldwell, Dodd, Emerson, Ferguson, Foreste, Gordon, Gilmer, Greene, Hart, Hardin, Jackson, Johnson, Lafferty, Miller, Mitchell, McIlroy, McRae, Rogers, Russell, Steward of Crawford, Sevier, Simpson, Trimble, Tebbetts, Tobey, Witherspoon, Whittington, Wills, Watson, Wilson and Yochum—40.

Whereupon the Speaker announced that the amendment was rejected.

The first proposed amendment was then taken up and read a 2nd time.

The question arose upon its adoption.

The roll was called.

Those members who voted in the affirmative are

Messrs. Adams, Atkins, Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris. Jackson, James, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles, Preston, Pyburn, Rogers, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson, Yochum and Mr. Speaker—66.

Those members who voted in the negative are

Messrs. Foreste, Johnson, Miller and Walker—4.

Thereupon, the Speaker announced that the amendment was passed to a third reading.

House bill, No. 58 to be entitled an act to exempt the county of Independence from the operation of the law in relation to the summoning of petit jurors was taken up and read a 2nd time.

Mr. Rosson proposed to amend by inserting the county of Izard immediately after that of Independence—

Which was adopted.

Mr. Wills proposed to amend by inserting Saline county—

Which was adopted.

On motion of Mr. Cline the bill as amended was laid on the table until to-morrw morning.

On motion of Mr. Gilmer the House adjourned.

T. B. FLOURNOY, *Speaker*.

WEDNESDAY, Nov. 20th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Billingsley presented the petition of Henry Hease and others citizens of the north west of Lawrence county praying to be attached to Fulton county.

Which on motion of Mr. Billingsley referred to the committee on counties and county lines.

Reports from standing committees were in order.

Mr. Fletcher from the committee on ways and means to whom was recommitted Senate bill No. 5, to be entitled "An act for the relief of Jesse Mooney, late sheriff of Marion county," reported the same back to the House with an amendment and recommended its passage.

The bill as amended was read a third time and passed.

Mr. Tappan from the committee on enrollments made the following report:

Mr. Speaker:

The committee on enrolled bills have examined "An act to repeal the third, sixth and eighth sections of an act amending an act entitled an act to incorporate the city of Camden," also "An act for the relief of Benjamin F. Danley, sheriff of the county of Pulaski," also "An act to declare King's River in Carroll county a navigable stream," and have instructed me to report them correctly enrolled.

Which report was adopted.

Mr. Coldwell from the committee on education who had been instructed to enquire into the expediency of reducing the price of the sixteenth sections to one dollar and twenty-five cents per acre where said lands had been twice offered for sale and has failed to bring two dollars, reported that the committee deemed it expedient to extend the laws now in force on that subject.

Which report was adopted.

Mr. Coldwell from the committee on education to whom was referred House bill No. 13, to be entitled "An act to amend the 10 section of the 145th chapter of the Digest of the State of Arkansas under the head of schools and school lands," reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 35, to be entitled "An act to amend an act entitled an act to divide the State into judicial circuits to provide for the elections of Judges of the circuit court, approved Dec. 29th 1848," reported the same back to the House with an amendment and recommended its passage.

The amendment was adopted by the House.

On motion of Mr. Trapnall the bill as amended was ordered to be engrossed for a third reading on Monday next.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 27, to be entitled an act to prevent speculation in donation lands and to dispense with the making of improvements thereon by widows and minors women, reported the same back to the House with an amendment and recommended its passage.

The committee proposed to amend by striking out the eighth section of the bill.

Which amendment was adopted and the bill as amended read a third time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 41, entitled an act to amend the 75th chapter of the Revised Statutes of the State of Arkansas concerning free negroes and mulattoes, reported the same back to the House and recommended its passage.

On motion of Mr. Morton said bill was recommitted to a committee of the whole House and made the special order of the day for to-morrow.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 15, entitled an act to amend an act regulating and defining the affidavit now required to be made before attachment can be issued, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall was called to the Chair.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act to change the mode of summoning petit jurors as prescribed in Revised Statute, chapter 94, in sections 9, 10, 11, 12, 13, 14 and 15.

Also an act to aid sheriffs in assessing and collecting taxes and to allow additional fees.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have assented to House bill No. 43, to be entitled an act to authorize Asa Combs —— Starr to build a mill dam across White River in Benton county near the mouth of War Eagle River.

Also House bill No. 51, to be entitled an act to exempt the citizens of Maumelle township, in Poinsett county, from serving on grand or petit juries during the spring term of the Circuit Court.

Also to House bill No. 55, to be entitled an act to change the name of Mary Melissa Starnes of Ouachita county, to that of Mary Melissa Starnes Kennedy, and to constitute her the lawful heir of A. G. Kennedy of said county.

Also to House bill No. 56, to be entitled an act to alter the time of holding the county and Probate courts for the county of Union.

Also to House bill No. 57, to be entitled an act to change in part the time of holding the circuit court of the first judicial circuit.

Also to House bill No. 14, to be entitled an act to change the time of holding the county and Probate courts of Lafayette county and to extend the time of the circuit court with sundry amendments thereto in which your honorable body is respectfully asked to concur.

The Senate have not assented to the House bill No. 26, to be entitled an act for the relief of R. B. Sagely, sheriff of Franklin county, but have adopted a substitute in lieu thereof, which is herewith transmitted for the adoption of the House of Representatives.

All of which are herewith returned.

The Senate refused to assent to House bill No. 16, to be entitled an act to repeal the 3d and 4th sections of the 6th article of the Revised Digest under the head of *criminal law* and to substitute in lieu thereof.

J. M. ROSS,
Secretary of the Senate.

Mr. Sevier from the select committee to whom was referred House bill No. 26, an act concerning the treatment of slaves, reported the same back to the House with an amendment and recommended the adoption of the amendment and the passage of the bill.

Which report was adopted.

The bill as amended was read a third time.

On motion of Mr. Cline said bill was recommitted to a committee of the whole House and made the order of the day for Friday next.

Mr. Cline made the following report:

The select committee to whom was referred House bill No. 61, entitled an act to authorize Jesse Brashears and David B. Morris, Administrators of Zadock Brashears to sell the personal property of said estate.

They have had the same under consideration and instruct me to report the same back to the House without amendment and recommended its passage.

Which report was adopted.

The bill was read a third time and passed.

Mr. Witherspoon from the select committee made the following report.

Mr. Speaker:

The House bill No 28, entitled an act to amend the 94th section of the 95th chapter of the Digest of the State, which was referred to them respectfully, state that after examining said bill they recommended its adoption.

Which report was adopted.

The bill was then read a third time and passed.

Mr. Wills from the select committee made the following report.

Mr. Speaker:

The select committee to whom was referred the bill entitled an act to allow additional fees to Justices of the Peace for their duties in relation to estrays, beg leave to report the same back to the House without amendment and recommend its passage.

WILLS, Chairman.

Which report and bill were, on motion of Mr. Cline, laid on the table indefinitely.

Mr. Nettles introduced a bill entitled an act empowering the different circuit courts of this State and the Judges thereof to graat writs of certiorari and supersedeas.

Which was read a first time.

On motion of Mr. Nettles the rules were suspended and the bill read a second time and referred to the committee on the judiciary.

Mr. Pyburn introduced the following resolution.

Resolved, That the committee on memorials be instructed to prepare and report to this House a memorial to the Congress of the United States praying that the mail route from Napoleon to Batesville in steamboats be carried twice a week, and that the mail route from Reagan's Bluffs on White River, to Little Rock in connection with said mail route from Napoleon to Batesville be carried twice a week in four horse post coaches and that our Senators in Congress be instructed and our Representative be requested to give their most earnest support to said memorial.

Which was adopted.

Mr. Denton introduced a bill to be entitled an act regulating the compensation of county Treasurers and simplify the mode of settling by sheriffs, which was read a first time.

On motion of Mr. Denton the rules were suspended and the bill read a second time and referred to the committee on the judiciary.

Mr. Lafferty introduced a bill to be entitled an act to sink a salt well in Van Buren county.

Which was read a first time.

On motion of Mr. Lafferty the rules were suspended and the bill read a second time and referred to the committee on Internal Improvement.

Mr. Carroll introduced a bill to be entitled an act supplementary to an act to incorporate the Jennings' Falls Manufacturing Company.

Which was read a first time.

On motion of Mr. Carroll the rules were suspended and the bill read a second time and referred to the committee on Internal Improvement.

Mr. Tobey introduced the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of repealing so much of the 66th section, chapter 4th, of the Statutes, as require Administrators and Executors to obtain orders of Probate courts before selling personal property, and that they report by bill or otherwise.

Which was adopted.

Mr. Pyburn introduced a bill entitled an act declaring Maddoxs' Bay navigable.

Which was read a first time.

On motion of Mr. Pyburn the rules were suspended, said bill read a second and third time and passed.

Mr. Cauthron introduced a bill entitled an act to call in the scrip of Scott county,

Which was read a first time.

On motion of Mr. Cauthron the rules were suspended, said bill read a second and third time and passed.

Mr. Rossin gave notice that he would on some future day introduce a bill to authorize the sale of the remaining portion of the seminary lands in legal subdivisions of forty acres.

Mr. Stuart of Green introduced a bill entitled an act to change the time of holding the Probate court of Green county, which was read a first time and ordered to a second reading on tomorrow.

Mr. James introduced a resolution instructing our delegation in Congress to use their influence to procure the passage of an act donating to the inhabitants of each and every township in the State of Arkansas an additional section of land of any of the unappropriated public lands in the State for the purpose of common schools, and of establishing the same on a more permanent basis.

Which was adopted.

On motion of Mr. Blakemore the orders of the day were taken up.

Joint resolution of the House instructing our Senators and requesting our Representative in Congress to use their exertion in the extension of a mail route recently established from Arkadelphia in Clark county to the county seat of Montgomery county, to Waldron in Scott county, was taken up and read a second time, and

On motion of Mr. Whittington the rules were suspended and the resolution read a third time and adopted.

Senate bill No. 21, entitled an act to confer jurisdiction on Justices of the Peace on the subject of Sabbath breaking was taken up and read a second time.

On motion of Mr. Wilson said bill was referred to the committee on the Judiciary.

Joint resolution of the Senate No. 9, was taken up and read a second and third time and concurred in.

Joint resolution of the Senate No. 10, requesting our delegation in Congress to use their influence to procure the establishment of a mail route to be carried tri-weekly in two horse post coaches from Batesville by way of Yellville, Carrollton, and Huntsville, to Fayetteville in Washington county, was taken up and read a second time, and

On motion of Mr. Eaton referred to the committee on memorials.

Senate bill No 17, entitled an act to repeal the ballot and revive the viva voce system of voting was taken up and read a first time.

On motion of Mr. Woodward the rules were suspended and the bill read a second time.

Mr. James offered a substitute.

Mr. Basham moved to reject said substitute.

On motion of Mr. Carroll the House adjourned.

T. B. FLOURNOY, Speaker.

THURSDAY, Nov. 21st, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

On motion of Mr. Singleton leave of absence was granted Mr. Rogers.

On motion of Mr. Trapnall leave of absence was granted Mr. Embry till Monday next.

Petitions from counties were in order.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 35, entitled an act to incorporate joint stock manufacturing companies, reported the same back to the House without amendment and recommended its passage.

Whereupon said bill was read a third time and passed.

Mr. Trapnall from the committee on the Judiciary to whom was referred House bill No. 32, entitled an act to repeal the 3d section, chapter 4th of the Revised Statutes, reported back to the House a substitute entitled an act to amend the 4th chapter of Revised Statutes and recommendedits adoption.

Whereupon said substitute was read a first time.

On motion of Mr. Trapnall the rules were suspended, the substitute read a second and third time and passed.

Reports from select committees were in order.

Mr. Bailey made the following report:

Mr. Speaker:

The select committee to whom was recommitted the bill entitled an act to change the time of holding the circuit courts in the counties of Ashley, Chicot Desha, Arkansas and Jefferson, have had the same under consideration and instruct me to report the same back to the House without amendment and recommend its passage.

BAILEY, Ch'n.

Whereupon the said bill was read a third time and passed.

Motions and resolutions were in order.

Mr. Harris introduced the following joint resolution.

Resolved by the General Assembly of the State of Arkansas, that the following amendment be proposed to the constitution of the State of Arkansas, to wit:

That the 29th section of the 4th article of the constitution be amended so as to allow the counties of Poinsett and Green to be reduced to eight hundred square miles, and that a new county may be formed out of said counties together with such other territory as may be obtained with the like area of square miles; and with a less population than the laws of representation in the House of Representatives.

Which was read a first time.

Mr. Singleton introduced the following:

Whereas, it appears that the repeal of the Statutes of this State is the chief object of this House.

Therefore resolved, that the committee on the Judiciary be required to take into consideration the propriety of repealing the whole or any part of the Revised Statutes and to report by bill or otherwise.

On motion of Mr. Tobey the resolution was postponed indefinitely.

Mr. Eaton introduced the following:

Resolved, That the committee on the Judiciary be instructed to enquire into the legality of reducing the tolls now charged at the ferries, bridges and gates, between Little Rock and Memphis, (on the Military road,) and report to this House as soon as possible.

Which was adopted.

Mr. Chandler gave notice that he would on Monday next, or or some day thereafter introduce a bill to change the mode of appointing grand jurors.

Mr. Simpson gave notice that he would on Saturday next, or some day thereafter introduce a bill for the relief of M. Wise, late sheriff of Perry county.

Mr. Fletcher gave notice that he would on Monday next, or some day thereafter introduce a bill to provide for the reclaiming of the swamp and overflowed lands donated to the State of Arkansas by act of Congress, approved 28th Sept., 1850.

Mr. Fletcher introduced the following resolution:

Resolved, That the Governor be requested to communicate to this House all the information in his possession in respect to the present condition of the salt springs and the 72 sections of State lands adjacent thereto.

Which was adopted.

Mr. Foreste introduced the following joint resolution:

Resolved, That the thanks of this General Assembly be tendered to Brevet Major Allen Wood, for his gallant and distinguished services in the late war with Mexico, and particularly on the 20th of August, 1847, in the battles of Contreras and Cherubusco, near the Mexican capitol whilst in command of the 12th regiment U. S. Infantry.

Resolved, That the Secretary of State be instructed to furnish Major Wood with a copy of the foregoing resolutions.

Resolved, That the Senate be requested to concur herein.

Which resolutions were read a first time and ordered to a second reading to-morrow.

Mr. Dodd introduced a bill to be entitled an act to allow jurors and witnesses mileage.

Which was read a first time and ordered to a second reading on to-morrow.

On motion of Mr. Tebbetts the first proposed amendment to the Constitution, was taken up and read a third time.

The question then arose upon the adoption of said amendment.

The roll being called the following members voted in the affirmative,

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Baker, Bassham, Billingsley, Blakemore, Bradley, Bruton, Carroll, Caldwell, Cauthron, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Furguson, Farmer, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, James, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Preston, Pyburn, Russell, Rosson, Singleton, Stuard of Crawford, Stewart of Green, Sissel Sevier, Simpson Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson. Wilson, Yochum and Mr. Speaker—63.

Those members voting in the negative are,

Messrs Chandler, Foreste, Jackson, Johnson, Miller, Moore, and Watson—7.

Whereupon the Speaker announced that said amendment had been adopted and ratified.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 12, to be entitled an act to prohibit the publication, circulation or promulgation of the abolition doctrine.

Which is herewith returned.

The Senate have passed a bill to be entitled an act to prevent tampering with slaves, which is herewith transmitted for the assent of the House of Representative.

The Senate have adopted a joint resolution instructing our Senators and requesting our Representative in Congress, to use their influence to procure the passage of a law appropriating $30,000 for cleaning out the obstructions to navigation in the Ouachita river.

Also a joint resolution instructing the Secretary of State to transmit authenticated copies of certain resolutions to our Senators and Representative in Congress.

All of which are herewith transmitted for the concurrence of you honorable body.

The Senate have adopted the report of the joint committee on public printing, selecting L. A. Whiteley, Esq., co-editor and publisher of the Arkansas Banner, as public printer for the State of Arkansas.

Which report with the contract and bond of Mr. Whiteley are herewith transmitted for the action of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Coldwell introduced a bill to be entitled an act to modify and amend section 108 of chapter 4th of the Digest of Arkansas.

Which was read a first time.

On motion of Mr. Coldwell. the rules were suspended and the bill read a second time and referred to the committee on the judiciary.

On motion of Mr. Trapnall so much of the message of the Senate as refers to the report of the joint committee on public printing selecting L. A. Whiteley. Esq., co-editor and publisher of the Arkansas Banner as public printer for the State, was taken up and concurred in and the report adopted.

Mr. Fletcher introduced a bill to be entitled an act to empower the circuit courts to alter or change names and for other purposes.

Which was read a first time.

On motion of Mr. Fletcher the rules were suspended and the bill read a 2d time, and referred to the committee on the judiciary.

On motion of Mr. Sevier the amendment of the Senate to the House bill No. 14, entitled an act to change the time of holding the county and Probate courts of Lafayette county were taken up and concurred in.

The following message was received from the Senate by the hands of the Secretary.

Mr. Speaker:

I am instructed to present for your honors signature, an act to change the time of holding the probate court of Crittenden county.

JOHN M. ROSS,
Secretary of the Senate.

Senate bill No. 17 to be entitled an act to repeal the ballot and revive the viva voce system of voting was taken up.

Mr. Foreste moved to lay the substitute offered yesterday by Mr. James on the table, indefinitely.

Mr. Bassham called for the Ayes and noes, the call was sustained and the roll called, those members voting in the affirmative are,

Messrs Atkins, Bassham, Bruton, Dodson, Ferguson, Farmer Foreste, Fletcher, Johnson, Leslie, Miller, Mitchell, McIlroy, Moore, Russell Steward of Crawford, Steward of Greene, Sevier, Sadler, Tebbetts, Tobey, Witherspoon, and Yochum—23.

Those members voting in the negative are,

Messrs Adams, Anderson, Armstrong, Ayers, Bailey, Baker, Billingsley, Blakemore, Bradley, Carroll Cauthron, Chandler, Cline, Denton, Dodd, Eaton, Emerson, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Kinsworthy, Lafferty, McRae, Murph, Morton, Nettles, Preston, Pyburn, Rosson, Singleton, Sissel, Simpson, Trimble, Tappan, Trapnall, Walker, Whittington, Woodward, Wills, Wilson, and Mr. Speaker—46

So the substitute was not laid on the table.

On motion of Mr. Woodward the bill and substitute were referred to the committee on the judiciary.

On motion of Mr. Harris the House adjourned.

T. B. FLOURNOY, *Speaker*.

FRIDAY, Nov. 22, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Adams presented the petition of Wm. B. Norman, and other citizens of Conway, county, asking that a portion of said county be striken off and attached to White county.

Which on motion of Mr. Adams was referred to the committee on counties and county lines.

Mr. Tobey presented the petition of Mr. A. C. Underwood and other citizens of Dardanell township, Pope county, asking that said township may be attached to Yell county.

Which on motion of Mr. Tobey was referred to the committee on counties and county lines.

Mr. Emerson presented the petition of J. D. Pollok and other citizens of Hot Spring county, asking the General Assembly to approve the acts of the Trustees and commissioners of township 4 s. range 17 w. in regard to the sales of the sixteenth section heretofore made by said trustees and commissioners.

Which on motion of Mr. Emerson was referred to a select committee consisting of Messrs Emerson, Hart and Wills.

Reports from standing committees were in order.

Mr. Tappan made the following report.

Mr. Speaker:

On enrollments have examined an act to change in part the time of holding the circuit courts of the 1st Judicial circuit.

Also an act to alter the time of holding the county and probate courts for thecounty of Union.

Also an act to change the name of Mary Malissy Starns of Ouachita county in the State of Arkansas, to that of Mary Malissy Starnes Kennedy and to constitute her a lawful heir of A. G. Kennedy of said county.

Also an act to authorize Asa Combs and Starr, to build a mill dam across White river in Benton county, near the mouth of War Eagle river.

Also an act to exempt the citizens of Maumell townships in the county of Poinsett from serving on the grand and petit juries during the spring term of the circuit court.

Also an act to change the time of holding the county and probate courts of Lafayette county.

Also an act to prohibit the publication, circulation or promulgation of the abolition doctrine, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman,

Which report was adopted.

Mr. Tobey made the following report.

Mr. Speaker:

The committee on counties and county lines to whom was referred petition of sundry persons residing in the western part of Desha county, praying to be attached to the county of Drew, have considered the same and are unanimous in the opinion that said prayer cannot be granted consistently with the laws and the constitution.

Your committee are deeply sensible of the hardships and inconveniences under which your petitionors labor, but as the county of Desha contains no more than the number of square miles required by the constitution,

Your committee believe that to grant the petition of the petitioners would be a direct violation of the organic law of the State. All of which is respectfully submitted.

TOBEY, Chairman.

Which report was adopted.

Mr. Tobey made the following report.

Mr. Speaker:

The committee on counties and county lines to whom was referred the bill to be entitled an act to establish the county of Calhoun together with the petition of numerous citizens praying the establishment of said county have had the same under consideration and it appears that the law has been complied with by the required notices in the different counties and townships, that the bonndaries represented in the bill are the same asked for by the petitioners, and further that the counties from which it is proposed to erect said new county, will be left without the required population and territory.

Your committee therefor respectfully recommend the prayer of the petitioners be granted and the bill be passed.

TOBEY, Chairman,

The question then arose upon the passage of the bill.

Mr. Watson moved to lay said bill on the table indefinitely.

Mr. Sevier moved the previous question.

Mr. Watson called for the ayes and noes, which call was sustained and the roll called.

Those members voting in the affirmative are,

Messrs Adams, Atkins, Billingsley, Burton, Dodd, Emerson, Foreste, Gilmer, Johnson, Lafferty, Miller, Mitchell, McIlroy, Sevier, Sadler, Tappan, Tobey, Walker, and Witherspoon—19.

Those voting in the negative are,

Messrs Anderson, Armsrrong, Ayers, Bailey, Baker, Bassham, Blakemore, Bradley, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Eaton, Ferguson, Farmer, Fletcher, Gordon Greene, Hart, Hardin, Harris, Jackson, James, Kinsworthy, Leslie, McRae, Murph, Martin, Nettles, Preston, Pyburn, Russell, Rossin, Singleton, Steward of Crawford, Sissell Simpson, Trimble, Trapnall, Tebbetts, Whittington, Woodward, Watson, Wilson, Yocum and Mr. Speaker—49.

So the motion for the previous question was lost.

Mr. Watson then moved to lay the bill on the table until the 4th of July next.

Mr. Sevier, called for the ayes and nays, which call was sustained and the roll was called.

Those members who voted in the affirmative are.

Messrs Armstrong, Billingsley, Blakemore, Cline, Denton, Eaton, Farmer, Fletcher, Gordon, Hart, Kinsworthy, McRae, Murph, Sissell, Trapnall, Woodward, and Watson—17.

Those members who voted in the negative are,

Messrs Adams, Atkins, Anderson, Ayers, Bailey, Baker, Bassham, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Dodson, Dodd, Emerson, Ferguson, Foreste, Gilmer, Hardin, Harris, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Preston, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Whittington, Witherspoon, Wills, Wilson, Yocum and Mr. Speaker—52.

So the motion was lost.

The question then arose upon the passage of the bill.

Mr. Sevier called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs Atkins, Brewton, Dodd, Emerson, Lafferty, Miller, Morton, Nettles, Russell, Steward of Crawford, Stuart, of Green, Sevier, Sadler, Tappan and Tobey—15.

Those members who voted in the negative are,

Messrs Adams, Anderson, Armstrong, Ayers, Bailey, Baker, Bassham, Billingsley, Blakemore, Bradley, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Eaton, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Mitchell, McIlroy, McRae, Murph, Preston, Pyburn, Rosson, Singleton, Sissel, Simpson, Trimble, Trapnall, Tebbetts, Walker, Whittington, Woodward, Wills, Watson, Wilson, Yochum and Mr. Speaker—54.

So the bill did not pass.

The following message was received from the Senate by the secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 61 to be entitled an act to authorize Jesse Brashears and Daniel B. Norris, administrators of the estate of Zadoc Brashears deceased, to sell the personal property of said estate.

Which is herewith returned.

The Senate have passed a bill to be entitled an act to repeal sections 23 and 24, of the 65th chapter of the Statutes of Arkansas which is herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

The following message from the Governor was received by M. L. Bell, Esq., his Private Secretary.

Mr. Speaker:

I am instructed to inform your honorable body, that the Governor has approved and signed an act for the relief of Benjamin F. Danley, Sheriff of Pulaski county.

Also an act to repeal third, sixth, and eighth sections of an act to incorporate the city of Camden.

Also an act to declare Kings river in Carroll county, a navigable stream.

M. L. BELL, Sec'y.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to present for your honor's signature a joint resolution, requiring the joint committee on Auditors and Treasurers books in addition to their present duties, to examine all disbursements by any of the executive officers under special acts of appropriations.

JOHN M. ROSS.
Sec'y of Senate.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred House bill No. 67, to be entitled an act to sink a salt well in Van Buren county, reported the same back to the House unfavorably.

Mr. Trapnall moved to lay the bill and report on the table for the present, which motion prevailed.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred Senate bill No. 12, to be entitled an act to grant William T. Wall a charter to turnpike Freeo bottom, reported the same back to the House unfavorably.

On motion of Mr. Woodward, said bill and report were laid on the table for the present.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred House bill No. 68 to be entitled an act supplementary to an act entitled an act to incorporate the Jennings Falls Manufacturing Company reported the same back to the House without amendment and recommended its passage.

The bill was then read a third time and passed.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred the report of the board of Internal Improvement commissioners of Newton county Arkansas, reported the same back to the House, and asked to be discharged from the further consideration thereof.

Mr. Witherspoon was called to the chair.

Mr. Trapnall moved that 100 copies of the report of the board of Internal Improvement commissioners of Newton county, be printed for the use of the House.

On motion of Mr. Stuart of Green the House adjourned.

T. B. FLOURNOY, *Speaker*.

SATURDAY, Nov. 23, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Simpson presented the petition of Isaac Russell, William Russell, and John L. Huston securities of Milledge Wise late Sheriff of Perry county, praying the General Assembly to pass an act exonerating them from paying the per cent. due from said sheriff on the sum of $141 75 for failing to pay the same into the State Treasury by the time required by law.

Which, on motion of Mr. Simpson, was referred to a select committee consisting of Messrs Simpson, Wills, and Gordon.

Reports from Standing committees were in order.

Mr. Coldwell from the committee on education, to whom was referred House bill No. 7, to be entitled an act to incorporate the Arkansas Military Institute, reported the same back to the House without amendment and recommended its passage.

The bill was then read a third time and passed.

Mr. Coldwell from the committee on education, to whom was referred House bill No. 6, to be entitled an act to incorporate the Tulip Female Seminary, reported the same back to the House with an amendment which amendment was adopted. and the bill as amended was read a third time and passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have adopted a joint resolution instructing our Senators and requesting our Representative in Congress to use all necessary exertion to procure a change in the transportation of the mails on route No's 5904 and 5956 from two horse to four horse coaches.

Which is herewith transmitted for theconcurrence of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Cline from rhe committee of conference made the following report.

Mr. Speaker:

The committee of conference to whom was referred the resolution asking our delegation in Congress to use their best exertions for the establishment of a tri-weekly stage line from Pine Bluff to Fort Smith and from Van Buren to Fayetteville have met and freely conferred, and have instructed me to report the following, and recommend its passage.

Resolved by the General Assembly of the State of Arkansas, That our Senators in Congress be instructed, and our Representative be requested to use their best exertions to procure the establishment of a tri-weekly- stage line from Pine Bluff to Fort Smith, on the South side the Arkansas river commencing at Pine Bluff thence via Little Rock, Perryville, Danville, thence to the crossing of the State roads near the narrows on six mile creek in Scott county and establishing a Post office at said crossing, and from thence to Fort Smith, touching the intermediate offices on said route.

Resolved further, that in the event of the establishment of said line, the weekly mail now conveyed from Little Rock to Danville,

Also the mail from Danville to Boonville, be suspended, and the mail now carried from Danville to Boonville be conveyed from the cross road office to Boonville by the mail line from Charleston in Franklin county to Dallas in Polk county.

Resolved further, that our Senators be instructed and our Representative be requested to use their best exertions to procure the establishment of a tri-weekly stage line from Van Buren via Natural Dam, Evansville, and Boonsboro to Fayetteville in this State.

Which report was adopted and the resolution read a first time and ordered to a second reading on to-morrow.

Reports from select committees were in order.

Mr. Trapnall from the select committee to whom was referred the petition of William F. S. Barkman asking a charter to build a bridge across Bayou de Roche reported the same back to the House, with a bill to be entitled an act to grant a charter to Wm. F. S. Barkman, to erect a toll bridge at the Bayou de Roche, which was read a 1st time.

On motion of Mr. Trapnall the rules were dispensed and the bill read a second time and referred to the committee on Internal Improvement.

Mr. Bailey introduced a bill to be entitled an act to carry into effect the non-cupative will of John Marr, dec'd, late a citizen of Bradley county.

Which was read a first time.

On motion of Mr. Bailey, the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

Mr. Sevier was called to the chair.

Mr. Denton introduced a bill to be entitled an act to reduce the number of members of the Legislature.

Which was read a first time.

On motion of Mr Denton the rules were dispensed with, and the bill was read a second time and referred to the committee on Apportionments.

Mr. Dodson introduced a bill to be entitled an act for the relief of John Cecil, late sheriff of Newton county.

Which was read a first time.

On motion of Mr. Bassham, the rules were dispensed with and the bill was read a second time and referred to a select committee, consisting of Messrs Farmer, Gilmer and Dodson.

The following message from the Governor was received by M. L. Bell, Esq., his private secretary.

Executive Office,
Little Rock, Ark's,
Nov. 22, 1850.

Hon. T. B. Flournoy,
Speaker of the House of Representatives.

By an act passed at the last session of the General Assembly it was made the duty of the Governor to cause to be printed, and have ready for the General Assembly, on or before Wednesday of the first week of each session his message, together with the reports of all the State officers.

In compliance with the provisions of this act I entered into a contract with Wm. E. Woodruff of this city, he contracting to furnish the Legislature within the time prescribed, 1500 copies of the Governors message, with the accompanying documents and 500 without them, at a price not to exceed that paid by the Legislature to the public printer, selected at the last session of the General Assembly.

Mr Woodruff has complied with the contract upon his part, and has presented his account for payment. And it appearing that there is no appropriation made by law out of which the claim can be paid, it is made my duty by the 19th section of chapter 23d of Digest, English's Digest, to lay the same before your honorable body I herewith transmit the account of Wm. E. Woodruff, authenticated as required by law.

My predecessor Gov. Tho's S. Drew, appointed the Hon. G. W. Clark of Crawford county, bank commissioner, to settle with the officers of the different branches of the State bank, collect in the assets of said branches and do, and perform other duties but failed to have an appropriation made for his payment.

This claim occupies the same position as that above referred to and the papers upon which it is based are herewith transmitted for your consideration.

I would respectfully ask your earliest convenient attention to this subject.

I have the honor to be
Respectfully your ob't servant,
JOHN SELDEN ROANE.

Mr. Ayers gave notice that he would on Tuesday next, or some day thereafter, introduce a bill providing for the distribution of field notes of the General Land Office to each of the counties in this State respectively.

Mr. Murph gave notice that he would on Monday next, or some day thereafter introduce a bill to change the name of Mary Jane Harrel, to her maiden name Mary Jane Mathews, and also her daughter's name from Mary Eliza Harrel to Mary Eliza Mathews.

Mr. Walker introduced a bill to be entitled an act to incorporate the town of Ozark, which was read a 1st time.

On motion of Mr. Walker the rules were dispensed with, and the bill read a second time and referred to a select committee consisting of Messrs Walker, Sadler and Harris.

On motion of Mr. Fletcher the message of the Governor and the accompanying documents relative to the accounts of W. E. Woodruff and Hon. G. W. Clarke, were referred to the committee on ways and means.

Mr. Witherspoon introduced a bill to be entitled an act to amend 100th section of 4th chapter of the Digest.

Which was read a first time.

On motion of Mr. Witherspoon the rules were dispensed with, and the bill read a second time and referred to the committee on the Judiciary.

Mr. Foreste introduced the following joint resolution.

Resolved, That our Senators in Congress be instructed, and our Representative be requested to procure if possible printed field notes of surveys of the public lands of each county in this State for distribution to the Clerks offices thereof.

Which was read a first time.

On motion of Mr. Foreste the rules were dispensed with, and the resolution was read a recond time and on motion of Mr. Witherspoon referred to a select committee consisting of Messrs Foreste, Watson, Witherspoon, Tappan, and Bailey.

Mr. McRae gave notice that he would on Monday next introduce a bill to amend the road laws of this State.

Mr. Miller introduced the following resolution.

Resolved, That whenever any bill comes up for final passage and the ayes and noes are called by that, each member when called by the clerk, be allowed before giving his vote to address the chair for any length of time not exceeding fifteen minutes in relation to the bill before the House.

Which was on motion of Mr. Mitchell laid on the table.

On motion of Mr. Tebbetts the orders of the day were taken up.

Mr Speaker resumed the chair.

The report of the board of Internal Improvement commissioners of Newton county was taken up and read, and was on motion of Mr. Cline laid on the table till Monday week.

The following message was received from the Governor by M. L. Bell, Esq., his private secretary.

EXECUTIVE OFFICE,
Little Rock, Ark's,
Nov. 23d, 1850.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives.

A report has been made by the board of Internal Improvement commissioners for the county of Van Buren and directed to this office, I deem it my duty to lay the same before the honorable body over which you have the honor to preside. I herewith transmit the same.

Respectfully,
JOHN SELDEN ROANE.

The following message was received at the same time.

Mr. Speaker:

I am instructed to inform your honorable body that the Governor has approved and signed an act to change the name of Mary Malissey Starnes of Ouachita county in the State of Arkansas to that of Mary Malissey Starnes Kennedy and to constitute her a lawful heir of A. G. Kennedy of said county.

Also an act to alter the time of holding the county and probate courts for the county of Union.

Also an act to exempt the citizens of maumelle township in the county of Poinsett from serving on the grand or petit juries during the spring term of the circuit court.

Also an act to change the time of holding the county and probate courts of Lafayette county.

Also an act to authorize Asa Combs and—Starr to build a mill dam across White river in Benton county, near the mouth of War Eagle river.

Also an act to change in part the time of holding the circuit courts of the 1st judicial circuit.

Also an act to prohibit the publication, circulation, or promulgation of abolition doctrine.

M. L. BELL,
Private Sec'y.

On motion of Mr. Miller the House adjourned.

T. B. FBOURNOY, Speaker.

MONDAY, Nov. 25, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Reports from standing committees were in order.

Reports from select committees were in order.

Mr. Farmer from the select committee to whom was referred House bill No. 78 to be entitled an act for the relief of John Cecil, late sheriff of Newton county, reported the same back to the House without amendment, and recommended its passage.

The bill was then read a 3d time and passed.

Mr. Emerson from a select committee made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred the petition of sundry citizens of Hot Spring county, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage.

EMERSON, Chairman.

The bill was then read a first time,

On motion of Mr. Emerson, the rules were dispensed with, and the bill read a second and 3d time and passed.

Mr. Foreste from the select committee to whom was referred joint resolution of the House No. 12, instructing our Senators and requesting our Representative in Congress to procure printed field notes of all the public surveys for distribution to each county in the State reported the same back to the House and recommended its adoption.

Which resolution was read a third time and passed.

Mr. Harris introduced a bill to be entitled an act to call in the county scrip of Poinsett county;

Which was read a first time.

On motion of Mr. Harris the rules were dispensed with and the bill read a second and third time and passed.

The following communication from the Governor was received by his Private Secretary:

Executive Office,
Little Rock, Arks.
Nov. 25th, 1850.

Hon. T. B. Flournoy,
Speaker of the House of Representatives:

In response to a resolution passed by the honorable body over which you preside, calling upon the Governor to communicate to the House of Representatives, all the information in his possession, in respect to the present condition of the salt springs and the seventy-two sections of State land adjacent thereto, I have to state that no additional information touching this subject has been received at this office since the adjournment of the last Legislature, at which time the then Auditor under a resolution of that body investigated the subject and his report to the Legislature which will be found on page 278 of the House Journals of that session furnished all necessary information sought to be obtained by the resolution before me.

This communication contains but one error so far as I have been enabled to learn from the papers and documents on file in the Executive Office, and which is fully accounted for and explained by Gen. E. N. Conway, late Auditor in a communication addressed to me bearing date Nov. 23d, 1850, and which I herewith transmit as a part of this communication. I also transmit for your inspection and information, various other papers and records of this office.

In conclusion I would most respectfully recommend to your consideration the propriety of passing a law regaining these salt springs, together with all the land confirmed to the State in connection with them, to be sold, and the proceeds of such sale appropriated to the establishment of a Seminary of learning, located at some suitable point in the State. As these springs are now situated they are yielding no profit to the State; true, there is a law authorizing the Governer to lease them out, but there has been within the last two years, no application on the part of any one to lease them; consequently nothing has been done upon the subject, I am informed that some of these springs are valuable on account of their saline qualities, and that a large portion of the land selected adjacent thereto, is highly valuable and under a proper management might be disposed of for a large sum of money, sufficient to afford material aid in the erection and endowment of a Seminary of learning.

I have the honor to be, respectfully.

JOHN SELDEN ROANE.

LITTLE ROCK, ARK'S,
23d November, 1850.

TO HIS EXCELLENCY,
JOHN SELDEN ROANE,
Governor of the State of Arkansas:

DEAR SIR:—In answering a resolution calling on the Auditor for information relative to the salt-springs on the 21st December, 1848, I communicated to the House of Representatives a list of certain saline lands which had been confirmed to the State. That list was accurately prepared by me from one transmitted by the Commissioner of the General Land Office in his letter to the Governor, dated April 11th, 1842. The Commissioner stated that the tracts confirmed contained in the aggregate, 42,229 53-100 acres which had been approved by the Secretary of the Treasury. As selections for the use of eleven of the twelve salt springs to which the State became entitled by the 2d proposition of the act of Congress of 23d June, 1836.

You will find my answer to the resolution to which I have referred, commencing in the printed Journal of the House of Representatives of the last session on page 278, and ending on page 287, *but in many parts of it very incorrectly printed.*

On examination of the papers relative to saline lands which you submitted to me to-day for investigation, I found a letter from the Commissioner of the General Land Office to Gov. Yell, dated November 21st, 1843, which I do not recollect to have ever seen before. This letter shows that subsequent to the confirmation of the lands, including eleven salt springs, the following described lands equal to five sections and a half, and including the *twelve salt springs* were confirmed to the State, to-wit:

In Township 8 North, Range 18 West.

All of section 11—640	acres,	in Conway	county.
all of section 12—640	"	"	"
all of section 13—640	"	"	"
W½ NE¼ of section 14—480	"	"	"
e½ & sw¼ & e½ of nw¼ of 24—560	"	"	"
sw¼ & w½ of se¼ & n½ of 23—560	"	"	"

To make a complete list of the saline lands confirmed to the State these must be added to those designated in the list which I communicated to the House of Representatives, 21st December, 1848. The resolution which I then answered, called on me as Auditor for information concerning the saline lands. The Auditor by law had nothing to do with those lands, and his office contained no records of them. The Governor was the legally constituted agent of the State to superintend the management of the saline lands. I therefore, had to procure from papers belonging to the Governor's office, the information from which I prepared the list of those lands then communicated; and I suppose the Commissioner's letter of 21st November, 1843, was not furnished to me or the lands above designated would not have been omitted.

If your Excellency will lay this communication before the House of Representatives it will be the means of correcting the error into which I was led in answering the resolutions last session, in consequence of not having the Commissioners letter, dated 21st Nov., 1843, which I found in the papers you handed to me today.

I have the honor to be, most respectfully,
your obedient serv't,
ELIAS N. CONWAY.

Mr. Cauthron gave notice that he would on to-morrow or some convenient day thereafter ask leave to introduce a bill for the relief of the sheriff of Scott county.

Mr Baker introduced a bill to be entitled an act to incorporate the Soulesbury college at Batesville Arkansas.

Which was read a first time.

On motion of Mr. Baker the rules were dispensed with and the bill was read a second time and referred to the committee on education.

Mr. Carroll introduced the following resolution:

Resolved, That the committee on education be instructed to inquire into the expediency of so changing the law in relation to the sale of 16th sections, and the establishment of common schools, that the system of common schools may be more beneficial in its operation.

Which was adopted.

Mr. Carroll introduced a bill to be entitled an act making certain appropriations for the year 1851 and 1852 and for part of the year 1850, and for balances due from the State and for other purposes.

Which was read a first time.

On motion of Mr Carroll the rules were dispensed with and the bill was read a second time and referred to the committee on ways and means,

Mr. Carroll introduced a bill to be entitled an act making appropriations to pay costs in the case of Robinson Lytle and others vs. the State of Arkansas and others.

Which was read a first time.

On motion of Mr Carroll the rules were dispensed with and the bill read a second time and referred to the committee on the judiciary.

On motion of Mr. Wilson it was ordered that 100 copies of each bill should be printed for the use of the House.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act more fully to define the 5th section of the 97th chapter of the digest of the State of Arkansas.

Also a bill to be entitled an act to change in part the time of holding the circuit courts in the 6th judicial circuit.

Also a bill to be entitled an act to grant Horace B Allis a charter to turnpike Fourche bottom.

And also, an act to amend the law under the head of limitation.

All of which are herewith transmitted for the assent of the House of Representatives.

The senate have adopted a resolution requiring the committee on auditor and treasurer's books to register and burn all treasury warrants that have not been burned.

Which is herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Carroll introduced a bill to be entitled an act to exempt school property from taxation.

Which was read a first time and ordered to a second reading on to-morrow.

Mr Harris introduced the following joint resolution:

Resolved by the General Assembly of the State of Arkansas, That our Senators be instructed and our Representative be requested to use their influence to have the mail carried twice a week on route 5920 from St. Francis county to Walcott in Green county.

Which was read a first time and ordered to a second reading on to morrow.

Mr Sissel gave notice that he would introduce a bill to require the State to pay the owners of negroes for any negro who may be executed for capital crime.

Mr Farmer introduced the following resolution:

Resolved, That the Hall of the House of Representatives is hereby granted unto Jas Champlain to-morrow evening at 3 o'clock for the purpose of making a public examination of the blind pupils of the Clarksville institute for the blind.

Which was adopted.

On motion of Mr Anderson the orders of the day were taken up.

Senate bill No. 11 to be entitled an act to aid sheriffs in assessing and collecting taxes and to allow additional fees; was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 15 to be entitled an act to change the mode of summoning petit jurors as prescribed in the Revised Statutes chapt. 49 in sects. 9 10 11 12 13 14 and 15, was taken up and read a first time.

On motion of Mr Whittington the rules were dispensed with and the bill was read a second time.

On motion of Mr Whittington the bill was referred to a select committee consisting of

Messrs. Whittington, Woodward, Sevier, Bailey and Tappan.

Senate bill No. 23 to be entitled an act to repeal sections 23 and 24 of 65th chapter of the Revised Statutes of Arkansas, was taken up and read a first time and ordered to a second reading on to-morrow.

The substitute proposed by the Senate for House bill No. 26 to be entitled an act for the relief of R B Sageley sheriff of Franklin county, was taken up and adopted and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 28 to be entitled an act to prevent tampering with slaves;

Was taken up and read a first time.

On motion of Mr. Trapnall the bill was laid on the table indefinitely.

Mr. Bailey was called to the chair.

The joint resolutions of the Senate instructing our Senators and requesting our Representative to use their exertions to procure a change in the transportation of the mail routes No. 5904 from Little Rock to Pittsburg, and No. 5956 from Pittsburg to Fort Smith from two horse post coaches to four horse post coaches, was taken up and read a first time and ordered to a second reading on to-morrow.

The joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to use their influence to procure the appropriation of $30,000 to improve the navigation of Washita river from Dallasport in Dallas county to the Louisiana line; was taken up and read a first time.

On motion of Mr Woodward the rules were dispensed with and the resolution was read a second time.

Mr Emerson proposed to amend by adding ten thousand dollars to be expended from Rockport Hot Spring county to Dallasport.

Which was adopted.

Mr Cline offered the following amendment: insert $20,000 for clearing out White river.

Mr Preston offered the following amendment to the amendment, $30,000 to clearing out the obstructions from St. Francis from the mouth of said river to the Missouri line.

Which was adopted.

Mr Whittington offered the following amendment to the amendment: insert $25,000 to be expended in the improvement of the navigation of the Washita river from Rockport to the three forks of the Washita river in Montgomery county.

Which was adopted.

The amendment as amended was then adopted.

Mr Carroll offered the following amendment to the resolution, $10,000 to clear out and improve the navigation of Bayou Meto from its mouth to where the military road crosses it, leading from Memphis to Little Rock.

Mr Ferguson offered the following amendment to the amendment, also $20,000 to clear out the Arkansas river, and $10,000 for clearing out Bayou Bartholomew.

Which was adopted.

The amendment as amended was then adopted.

Mr Bailey offered the following amendment, $10,000 to be appropriated to clearing the obstructions out of Saline river.

Mr Baker offered the following amendment, $10,000 to be appropriated to the clearing of Black river from its mouth to Pocahontas in Randolph county.

Mr Foreste moved to lay the resolution and amendments on the table indefinitely.

Mr Rosson called for the ayes and noes, which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs. Atkins, Anderson, Bailey, Basham, Blakemore, Brewton, Carroll, Coldwell, Chandler, Dodson, Farmer, Foreste, Gordon, Jackson, Johnson, Leslie, Lafferty, Miller, Mitchell, Nettles, Pyburn, Russell, Sadler, Tappan, Tobey, Walker, Witherspoon, Wills and Yochum—30.

Those members voting in the negative, are

Messrs. Adams, Armstrong, Ayres, Baker, Billingsley, Bradley, Cauthorn, Cline, Denton, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Gilmer, Greene, Hart, Hardin, Harris, James, Kinsworthy, McIlroy, *M*cRae, Murph, Morton, Preston, Rosson, Singleton, Steward of Crawford, Stewart of Greene, Sissel, Sevier, Simpson, Trimble, Trapnall, Tebbetts, Whittington, Woodward, Watson, Wilson, and Mr Speaker—41.

So the motion was lost.

Mr Speaker resumed the chair.

Mr Tebbetts moved to lay the resolution and amendments on the table until Monday next.

Which motion prevailed

*M*r Cline moved that the House resolve itself into a committee of the whole on the bill to be entitled an act concerning the treatment of slaves.

Mr. Trapnall was called to the chair.

The committee after sitting some time rose and made the following report.

Mr Speaker:

The committee of the whole House to whom was referred a bill to be entitled an act concerning the treatment of slaves, have had the same under consideration and have instructed me to report the same back to the House with sundry amendments, and asked to be discharged from the further consideration thereof.

TRAPNALL, Chairman.

Which report was adopted.

On motion of Mr Tebbetts the bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Eaton asked and obtained leave of absence until Monday next.

Mr Dodd moved an adjournment.

Which was lost.

The joint resolution of the Senate instructing the Secretary of State to transmit authenticated copies of all memorials and resolutions to the Congress of the United States, to our delegation in Congress, so soon as they pass the General Assembly, was taken up and read a first time.

On motion of Mr. Tebbetts the rules were dispensed with, and the resolution was read a second and third time, and concurred in.

Mr Sevier moved an adjournment.

Which was lost.

House bill No. 35 to be entitled an act to amend an act entitled an act to divide the State into judicial circuits to provide for the election of judges of the circuit court, &c. approved Dec. 29, 1848, was taken up and read a third time.

Mr Leslie called for the ayes and noes, which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs. Armstrong, Ayres, Bradley, Brewton, Carroll, Caldwell, Denton, Dodd, Emerson, Foreste, Fletcher, Greene, James, Johnson, Kinsworthy, Lafferty, Miller, Mitchell, Morton, Preston, Rosson, Steward of Crawford, Stewart of Green, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Watson, and Mr Speaker—30.

Those members voting in the negative, are

Messrs. Adams, Atkins, Anderson, Bailey, Baker, Basham, Billingsley, Blakemore, Cauthon, Chandler, Cline, Dodson, Eaton, Embry, Ferguson, Farmer, Gordon, Gilmore, Hart, Hardin, Harris, Jackson, Leslie, McIlroy, McRae, Murph, Nettles, Pyburn, Russell, Singleton, Simpson, Sadler, Trimble, Walker, Wilson, and Yocham—36.

So the bill was lost.

On Motion of Mr. Tebbetts the message from the Governor in relation to the Salt Springs, with the accompanying papers was referred to the committee on public lands.

On motion of Mr. Ayres the House adjourned.

T. B. FLOURNOY, S. H. R.

TUESDAY, Nov. 26, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr Lee, Chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr Embry presented the petition of sundry citizens of Monroe county, asking that a portion of said county may be attached to Prairie county; which,

On motion of Mr. Embry, was referred to a select committee, consisting of Messrs. Embry, Pyburn and Caldwell.

*M*r. Carroll presented the memorial of Richard T. Jennings asking the General Assembly to make an appropriation for his benefit for painting and glazing done on the State House.

Which on motion of *M*r. Carroll was referred to the committee on Ways and *M*eans.

Reports from the standing committees were in order.

*M*r. Coldwell from the committee on the judiciary to whom was referred Senate bill No. 17 to be entitled an act to repeal the ballot and revive the *viva voce* system of voting and the substitute of the House therefor reported the same back to the House and recommended the rejection of the substitute and the adoption of the Senate bill.

The question then arose upon the rejection of the substitute.

*M*r. Johnson called for the ayes and noes which call was sustained and the roll called.

Those members voting in the affirmative are

Messrs. Atkins, Anderson, Ayers, Baker, Basham, Billingsley, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Harris, Jackson, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Nettles, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Watson, Wilson, Yochum and Mr. Speaker—59.

Those members voting in the negative are

Messrs. Adams, Armstrong, Bailey, Blakemore, Emerson, James, Morton, Singleton, Trapnall, and Woodward—10.

So the substitute was rejected.

The following massage was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed bill No. 27 to be entitled an act to amend the 166th chapter of the Digest of the Statutes under the head of *Vagrants.*

Also bill No. 34 to be entitled an act to limit the time in which widows of deceased persons shall claim dower in certain cases:

Also bill No. 43 to be entitled an act to change the name of Mary A. J. Breedlove to the name of Mary A. J. Glass and to constitute her a lawful heir to the estate of Joseph B. Glass and of his wife Susan F. Glass.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have adopted joint resolution No. 11, instructing our Senators and requesting our Representative in Congress to use all necessary means to have so much of the act of Congress passed in the year 1832 as relates to persons cutting timber on the public lands for all necessary agricultural purposes repealed or so modified as to exonerate actual settlers from the operation of said act.

Also a joint resolution No. 13 instructing our Senators and requesting our Representative in Congress to use their influence with the Post Master General of the United States to have a semi-weekly two horse coach line established for the conveyance of the U. S. mails from Ozark in Franklin county *via* St. Paul, Huntsville, Easley's and Bentonville to Maysville in Benton county.

Also a preamble and joint resolutions instructing our Senators and requesting our Representative in Congress to urge upon the general government at Washington city the importance and necessity of establishing a line of military posts on Marcy's route from Fort Smith to Donna Ana, on the Rio Grande, and on Cooks route from Donna Anna down the Rio Gila to California.

Also that they lay before the Secretary of War and Post Master General, the importance and great advantage of adopting this route for the transportation of the overland mails to the military posts in New Mexico and California, and to urge upon those departments the propriety of sending from Fort Smith to these posts monthly or semi-monthly mails.

All of which are herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Trapnall moved to recommit Senate bill No. 17 to be entitled an act to repeal the ballot and revive the *viva voce* system of voting to a committee of the Whole House and make it the order of the day for Tuesday next.

Mr. Gilmer asked and obtained leave of absence for Mr. Hardin on account of indisposition.

The following message from the Senate was received by the Secretary.

Mr. Speaker—

I am instructed to present for your Honor's signature joint resolutions instructing our Senators and requesting our Representative in Congress to use their best exertions to procure the establishment of a tri-weekly stage line from Pine Bluff to Fort Smith on the south side of the Arkansas river, &c.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Ferguson was called to the chair.

The question then arose upon recommitting Senate bill No. 17 to a committee of the Whole House.

Mr. Stuart of Green called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs. Adams, Armstrong, Bailey, Baker, Billingsley, Blakemore, Cline, Denton, Dodd, Eaton, Emerson, Embry, Ferguson, Greene, Hart, James, Kinsworthy, Lafferty, McRae, Murph, Morton, Preston, Rosson, Singleton, Sissel, Tappan, Trapnall, Tobey, Walker, Woodward, Watson and Mr. Speaker—32.

Those members voting in the negative are

Messrs. Atkins, Anderson, Ayers, Baskam, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Dodson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Harris, Jackson, Johnson, Leslie, Miller, Mitchell, *Mc*Ilroy, Nettles, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tebbetts, Witherspoon, Whittington, Wills, Wilson and Yochum—38.

So the motion to recommit was lost.

Mr. Speaker resumed the chair.

The question then was put shall the bill pass.

Mr. Stuart of Green called for the ayes and noes,

Which was sustained and the roll called.

Those members voting in the affirmative are

Messrs. Atkins, Ayers, Basham, Billingsley, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Denton, Dodson, Foreste, Fletcher, Gilmer, Harris, Jackson, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlory, Nettles, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sevier, Saddler, Trimble, Tappan, Tobey, Witherspoon, Whittington, Yochum and *Mr*. Speaker—39.

Those members voting in the negative are

Messrs. Adams, Anderson, Armstrong, Bailey, Baker, Blakemore, Cline, Dodd, Eaton, Emerson, Embry, Ferguson, Gordon, Greene, Hart, James, Kinsworthy, McRae, Murph, Morton, Rosson, Singleton, Sissel, Simpson, Trapnall, Walker, Woodward, Wills, Watson and Wilson—31.

So the bill was passed.

On motion of Mr. Sadler the House adjourned.

T. B. FLOURNOY,
Speaker of the House.

WEDNESDAY, Nov. 27th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Carroll presented the memorial of Henry F. Sewall the holder of a lost bond of this State, asking that he be placed in the same situation with other holders of the bonds of the State of Arkansas,

Which was read.

And on motion of Mr. Carroll referred to the committee on the judiciary.

Reports from standing committees were in order.

Mr. Watson from the committee on ways and means to whom was referred the Governor's message relating to the claims of the Hon. G. W. Clarke and Wm. E. Woodruff after having had the same under consideration reported back to the House a bill to be entitled an act to make certain appropriations, and recommended its passage.

Whereupon the bill was read a first time and ordered to a second reading on to-morrow.

Mr. Tobey made the following report:

Mr. Speaker—

The committee on counties and county lines have had under consideration the petition of numerous citizens praying the erection of a new county to be composed of portions of the counties of Hempstead, Lafayette, Ouachita, and Union, and your committee are unanimously of the opinion that the prayer of the petitioners cannot be granted in justice to the rights and interests of the counties from which is proposed to form said new county and therefore instruct me to report adversely to said prayer.

Which report was adopted.

Mr. Watson from the committee on ways and means to whom was referred House bill No. 47 to be entitled an act directing the Secretary of State to purchase for each county in this State one copy of Langtree's sectional maps and to make distribution of the same, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill was rejected.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendment of the House to Senate bill No. 5 to be entitled an act for the relief of Jesse Mooney late sheriff of Marion county.

The Senate have assented to House bill No. 80 to be entitled an act to legalize the acts of the trustees and township commissioners of township 4 south of range 17 west.

Also to House bill [C.] to be entitled an act for the relief of James Davidson sheriff of Poinsett, with an amendment thereto in which your honorable body is respectfully asked to concur.

All of which are herewith returned.

The Senate have passed bill No. 44 to be entitled an act to incorporate the trustees of the Eldorada Female Academy.

Also a bill No. 45 to be entitled an act to amend the 55th section of chapter 67 of the digest of the Statutes of Arkansas in reference to sheriff's sales.

All of which are herewith transmitted for the assent of the House of Representatives.

I am instructed to present for your honor's signature an act for the relief of Jesse Mooney late sheriff of Marion county.

Also a resolution instructing the secretary of State to transmit authenticated copies of certain resolutions to our delegation in Congress.

J. M. ROSS,
Sec'y of Senate.

Mr. Watson from the committee on ways and means to whom was referred House bill No. 34 to be entitled an act for the relief of free males over the age of forty-five years, reported the same back to the House and recommended its rejection.

The question then arose upon the adoption of the report.

Mr Lafferty called for the yeas and noes, which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs. Bradley, Brewton, Carroll, Denton, Dodson, Emerson, Fletcher, Gilmer, Green, Hart, Harris, James, Kinsworthy, McIlroy, McRae, Murph, Morton, Moore, Preston, Pyburn, Russell, Steward of Crawford, Sissell, Sevier, Sadler, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Watson, Wilson and Mr Speaker—35.

Those members voting in the negative, are

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Baker, Basham, Billingsley, Blakemore, Coldwell, Cauthron, Chandler, Cline, Dodd, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Jackson, Johnson, Leslie, Lafferty, Miller, Mitchell, Nettles, Rosson, Singleton, Stewart of Green, Simpson, Trimble, Walker, Wills, and Yocham—35.

So said report was not adopted.

On motion of Mr. Fletcher a call of the House was had.

The absentees appearing in the hall the call was suspended.

Mr Cline offered an amendment to House bill No. 34 to be entitled an act for the relief of free males over the age of forty-five years.

The Speaker declared the amendment out of order.

Mr Tebbetts appealed from the decision of the chair.

The question being put the decision of the chair was sustained.

Mr Denton moved to lay the bill on the table until to-morrow.

Which was lost.

The question then arose upon the passage of the bill.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Ayers, Baker, Basham, Billingsley, Cauthron, Chandler, Dodd, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Jackson, Johnson, Leslie, Lafferty, Miller, Mitchell, Morton, Rosson, Singleton, Stewart of Green, Simpson, Trimble, Walker, Wills and Yocham—30.

Those members voting in the negative, are

Messrs. Anderson, Armstrong, Bailey, Blakemore, Bradley, Brewton, Carroll, Coldwell, Cline, Denton, Dodson, Emerson, Fletcher, Gilmore, Greene, Hart, Harris, James, Kinsworthy, McIlroy, McRae, Murph, Moore, Nettles, Preston, Pyburn, Russell, Steward of Crawford, Sissel, Sevier, Sadler, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Watson, Wilson, and Mr. Speaker—41.

So the bill was not passed.

Mr Tobey made the following

REPORT:

Mr. Speaker,

The committee on counties and county lines have had under consideration the petition of Basil Davis and other citizens of the counties of Hempstead, Pike, and Sevier, to be formed into a new county, and are of opinion that the prayer of said petitioners should not be granted, and I am instructed to report accordingly.

TOBEY, *Chairman.*

Which was adopted.

Mr Tobey made the following

REPORT:

Mr Speaker,

The committee on counties and county lines to whom was referred the petitition of sundry citizens praying the establishment of a new county to be called Webster, have had the same under consideration, and have instructed me to report adversely to said petition, and recommend that the prayer be not granted.

TOBEY, *Chairman.*

Which report was adopted.

Mr Trapnall from the committee on the judiciary to whom was referred House bill No. 80 to be entitled an act to amend the 100th section of the 4th chapter of the digest, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 36 to be entitled an act to prevent non-residents of this State from becoming executors and administrators reported the same back to the House with sundry amendments and recommended the passage of the bill as amended.

Which amendments were adopted and the bill read a third time as amended and passed.

Mr Toby made the following

REPORT:

Mr. Speaker,

Your committee to whom was referred the petition of certain citizens of the eastern part of Conway county praying to be attached to White county have considered the same, and are of opinion that the request of the petition should be granted, I would therefore respectfully ask leave to present the following bill to be entitled an act to change the line between the counties of Conway and White.

TOBEY, *Chairman.*

Which bill was read a first time and ordered to a second reading to morrow.

Mr Trapnall from the committee on the judiciary who were instructed to enquire into expediency of repealing so much of the 66th section, chapter 4th of the Statutes as requires administrators and executors to obtain orders of the probate court before selling personal property, reported that the committee deemed it inexpedient to change the existing law.

Which report was adopted.

Mr Trapnall from the committee on the judiciary who were instructed to enquire into the legality of reducing the tolls at the ferries, bridges, and gates between Little Rock and Memphis on the military road, reported that in the opinion of the committee the General Assembly had no right to legislate upon the subject.

Which report was adopted.

Mr Trapnall from the committee on the judiciary to whom was referred House bill No. 72 to be entitled an act to modify and amend section 108 of chapter 4 of the digest of Arkansas, report the same back to the House without amendment, and recommended its passage. Some objection being made to the bill it was, on motion of Mr. Trapnall, recommitted to the committee on the judiciary.

Mr Trapnall from the committee on the judiciary to whom had been referred so much of the Governor's message as refers to the law as laid down in chapter 139 digest of the Statutes of Arkansas relating to making out and returning assessments, reported that a bill designed to remedy the law in that particular, was already before the House, and asked that the committee be discharged from the further consideration of the subject.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom had been referred House bill 44 to be entitled an act to prohibit persons from quartering slaves on plantations or other places without overseers, reported the same back to the House and recommended its rejection.

On motion of Mr. Morton the bill and report were recommitted to the committee on the judiciary.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 65 to be entitled an act empowering the different circuit courts in this State and the judges thereof to grant writs of certiorari and supersedeas, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 76 to be entitled an act to carry into effect the nuncupative will of John Marr deceased, late a citizen of Bradly county in this State, reported the same back to the House unfavorably and recommended its rejection.

On motion of Mr. Bailey the bill and report were laid on the table until Monday next.

Mr Trapnall from the committee on the judiciary to whom was referred House bill No. 73 to be entitled an act to empower the circuit courts to alter or change names and for other purposes, reported the same back to the House without amendment, and recommended its passage.

The bill was read a third time and passed.

Mr. Trapnall from the committee on the judiciary who had been instructed to enquire into the expediency of amending the Constitution of this State, so that the qualified voters thereof shall elect the Secretary of State, Auditor, Treasurer and Judges of the Supreme Court, reported the following amendments to the Constitution and recommended their adoption.

Resolved, By the General Assembly of the State of Arkansas, That the following amendments be and they are hereby proposed to the Constitution of the State, to-wit:

1st, The Auditor and Treasurer of this State shall be elected by the qualified voters of the State, and shall hold their offices for the term of four years and until their successors are elected and qualified.

2d, The Secretary of State and Judges of the Supreme Court shall be elected by the qualified voters of the State, and shall hold their offices for the terms now prescribed by the Constitution.

Which report was adopted.

Mr. Carroll gave notice that he would on to-morrow ask leave to revise and amend the standing rules of the House, in respect to the reading of bills.

Mr. Whitington from the select committee to whom had been referred Senate bill No. 15, to be entitled an act to change the mode of summoning petit jurors as prescribed in the Revised Statutes, chapter 94, sections 9, 10, 11, 12, 13, 14, and 15, reported a substitute for the same to be entitled an act exempting the county courts from selecting petit jurors, and recommended the adoption and passage of the substitute.

The substitute was then read a first time; and

On motion of Mr. Trapnall was laid on the table until Friday next.

Mr. Baker moved an adjournment.

Which was lost.

Mr. Morton introduced a bill to be entitled an act to establish the county of Sebastion.

Which was read a first time.

On motion of Mr. Morton the rules were dispensed with, and the bill was read a second time and referred to a select committee consisting of Messrs. Morton, Cauthron and Atkins.

Mr. McIlroy introduced a bill to be entitled an act for the relief of John Chandler, late Sheriff of Randolph county.

Which was read a first time.

On motion of Mr. McIlroy, the rules were dispensed with and the bill was read a second time.

And on motion of Mr. Stuart of Green, the bill was referred to a select committee consisting of Messrs. Stuart of Green, McIlroy and Leslie.

Mr. Sadler introduced a bill to be entitled an act for the relief of George Wilson of Yell county.

Which was read a 1st time.

On motion of Mr. Sadler the rules were dispensed with, and the bill was read a 2d and 3d time and passed.

On motion of Mr. Witherspoon, the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

THURSDAY, Nov. 28th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Mr. Carroll, with leave, introduced the following:

Resolved, That by the rules of this House when a bill is reported back from a committee, it shall be considered on its second reading.

Which was adopted.

Petitions from counties were in order.

On motion of Mr. Atkins leave of absence was granted to Mr. Wills.

Mr. Sevier presented the petition of J. H. Caruthers and others, asking the Legislature to incorporate the town of Lewisville, in the county of Lafayette; which was,

On motion of Mr. Sevier, referred to a select committee, consisting of Messrs. Sevier, Bailey and Woodward.

Mr. Morton presented the petition of numerous citizens, asking the formation of a new county out of a portion of said county.

Which was, on motion of *M*r. *M*orton, referred to the select committee to whom had been referred a bill to be entitled an act to establish the county of Sebastian, of which *M*r. *M*orton is chairman.

Reports from standing committees were in order.

Mr. Witherspoon from the committee on elections, to whom was referred House bill to be entitled an act to change the mode of voting in this State, reported the same back to the House and asked that the committee be relieved from the consideration of the bill.

Wich report was adopted.

Reports from select committees were in order.

*M*r. Embry from a select committee to whom was referred the petition of sundry citizens of *M*onroe county, reported back to the House an act to change the line between the counties of Prairie and *M*onroe, and recommended its passage.

Whereupon the bill was read a 1st time.

On motion of *M*r. Embry the rules were dispensed with, and the bill was read a 2d and 3d time and passed.

*M*r. Walker made the following

REPORT:

*M*r. Speaker,

The select committee to whom was referred a bill to be entitled an act to incorporate the Town of Ozark, have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

WALKER, *Ch'n.*

On motion of Mr. Walker the rules were dispensed with and the bill was read a 3d time and passed.

*M*r. Stuart of Green, made the following

REPORT:

Mr. Speaker,

The select committee to whom was referred House bill No. 82, to be entitled an act for the relief of John Chandler, late sheriff of Randolph county, being satisfied by the testimony adduced before them, report favorably and recommend its passage.

STUART of Green, *Ch'n.*

On motion of *M*r. *M*cIlroy the rules were dispensed with and the bill for the relief of John Chandler, late sheriff of Randolph county was read a third time and passed.

*M*r. James was called to the chair.

*M*r. Simpson from a select committee, made the following

REPORT:

Mr. Speaker,

The select committee to whom was referred the petition of Isaac Russell, William Russell and John L. Huston, have had the same under consideration, and have instructed me to report a bill to be entitled an act for the relief of Isaac Russell, William Russell and John L. Huston, and recommend its passage.

E. SIMPSON, *Ch'n.*

The bill was then read a first time.

On motion of Mr. Simpson the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Motions and Resolutions were in order.

Mr. Wilson introduced the following joint resolutions:

Resolved by the General Assembly of the State of Arkansas, That the following amendment be proposed to the Constitution of the State of Arkansas, viz: That the Senate shall not exceed twenty members until the population of the State amounts to five hundred thousand, it may thereafter be increased to not exceeding twenty-five in number.

2d. *Be it further resolved*, That the House of Representatives shall consist of not more than fifty-four Representatives to be apportioned among the several counties in this State according to the number of free white male inhabitants therein; and they shall not be further increased until the population of the State amounts to five hundred thousand souls; the number may thereafter be increased to not exceeding seventy-five Representatives.

3d. *Be it further resolved*, That the words "provided that each county now organized shall although its population may not give the existing ratio, always be entitled to one representative, contained in the fourth Article and 34th sec. of the Constitution, under the head of Legislative department, be and the same is thereby repealed."

Which under the rule, laid on the table for one day.

Mr. Cline moved a reconsideration of the vote of the House taken yesterday on House bill entitled an act for the relief of free males over the age of forty-five years.

Which was lost.

Mr. Woodward gave notice that on Monday next he should ask leave to introduce a bill granting a charter to sundry persons to build a plank road from Camden to Fulton, on Red river.

The following message from the Senate was received by the Secretary.

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act to revive chapter 153 of the digest of the Statutes, under the head of runaway slaves.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have assented to House bill No. 31, to be entitled an act to change the name of Harriet A. E. Frailey to Harriet A. E. Folsom;

Also to House bill No. 60 to be entitled an act for the relief of Hon. R. W. Johnson.

Also House bill No. 81 to be entitled an act to call in the scrip of Poinsett county.

The Senate have concurred in resolution No. 10 of the House instructing our Senators and requesting our Representative in Congress to procure an extension of the mail route recently established from Arkadelphia to the county seat of Montgomery county to Waldron.

Also in resolution No. 10 instructing our Senators and requesting our Representative in Congress to use their influence to procure printed field notes for the use of the counties.

All of which are herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Walker introduced a bill to be entitled an act to amend an act to distribute the proceeds of the 500,000 of lands donated to the State of Arkansas for internal improvement purposes.

Which was read a first time.

On motion of Mr. Cline the rules were dispensed with and the bill was read a 2nd time and

On motion of Mr. Preston it was referred to the committee on internal improvement.

Mr. Sevier gave notice that he would on Monday or some convenient day thereafter introduce a bill to incorporate the town of Lewisville in Lafayette county, Arkansas.

Mr. Carroll introduced a bill to be entitled an act for the relief of Wm. L. Buford.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a 2nd 3rd time a passed.

Mr. Murph introduced a bill to be entitled an act to change the names of Mary Jane and Mary Eliza Harrell.

Which was read a first time.

On motion of Mr. Murph the rules were dispensed with and the bill was read a 2d and 3rd time and passed.

Mr. Greene gave notice that he would on Monday next introduce a bill granting B. H. Kinsworthy the privilege of building a toll-bridge across the Walnut Bayou in Sevier county, Arkansas.

Mr. Speaker resumed the chair.

Mr. Tebbetts introduced the following resolution.

Resolved, by the General Assembly of the State of Arkansas, That the following amendment be and the same is hereby proposed to the constitution of the State of Arkansas to-wit:

Section—That all laws of a general nature shall have a uniform operation.

Which was read and laid over under the rule.

Mr. Singleton introduced the following resolution:

Resolved, That the committee on ways and means be required to take into consideration the expediency of reducing the present rate of taxation and to report by bill or otherwise,

Which was adopted.

Mr. Nettles introduced a bill to be entitled an act for the relief of Joseph Loupe.

Which was read a first time.

On motion of Mr. Nettles the rules were dispensed with and the bill was read a 2nd and 3rd time and passed.

Mr. Trapnall introduced a bill to be entitled an act to create the office of Geologist.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill read a second time and referred to the committee on internal improvement.

On motion of Tebbetts it was ordered that 100 copies of the bill to be entitled an act to amend an act entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for internal improvement purposes be printed for the use of the House.

Mr. James gave notice that he would on to-morrow or some day thereafter ask leave to introduce a bill to amend the police regulations as to slaves—

Also a bill in relation to county tax on lands forfeited to the State and sold by the Auditor or redeemed at the treasury—

Also a bill to change the time of holding the probate courts in the county of Jefferson, and

Also a bill to amend the system of common schools in this State.

On motion of Mr. Gilmer the orders of the day were taken up.

House bill No. 4. to be entitled an act to grant a charter to Thos. S. Woodward to turnpike the Ouachita swamp opposite to Camden and keep a ferry across the Ouachita river was taken up and the amendments proposed by the committee were read and adopted.

Mr. Trapnall proposed to amend by inserting after the word hands in the——section not exceeding fifteen.

Which was adopted.

On motion of Mr. Coldwell the bill as amended was recommitted to the committee on internal improvement.

House bill [C.] to be entitled an act for the relief of James Davidson sheriff of Poinsett county was taken up and on motion of Mr. Harris the amendments of the Senate thereto was concurred in

Senate substitute for House bill No. 26 to be entitled an act for the relief of R. B. Sagely sheriff of Franklin county was taken up and read a second time.

On motion of Mr. Walker the rules were dispensed with and the substitute was read a third time and passed.

Senate bill No. 11 to be entitled an act to aid sheriffs in assessing and collecting taxes and to allow additional fees—

Was taken up and read a second time and on motion of Mr. Fletcher referred to the committee on ways and means.

Senate bill No. 23 to be entitled an act to repeal sections 23 and 24 of the 65th chapter of the Statutes of Arkansas

Was taken up and read a 2nd time.

On motion of Mr. Preston said bill was referred to the committee on the judiciary.

Mr. Adams moved a reconsideration of the vote of the House taken on Monday, upon House bill No. 35 to be entitled an act to amend an act to divide the State into judicial circuits, to provide for the election of judges of the circuit courts &c., approved, Dec. 29, 1848, which by a standing rule of the House the Speaker decided could not be entertained.

Mr. Carroll moved that the rules be dispensed with in order that the motion of Mr. Adams might be considered

Which was lost.

Senate bill No. 8 to be entitled an act to change in part the time of holding the circuit courts in the 6th judicial circuit

Was taken up and read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

Mr. Farmer was called to the chair.

Senate bill No. 24 to be entitled an act to grant Horace B. Allis a charter to turnpike Fourche bottom

Was taken up and read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a third time and referred to the committee on internal improvements.

On motion of Mr. Carroll the House adjourned.

T. B. FLOURNOY,
Speaker of the House.

FRIDAY, Nov. 29th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Coldwell from the committee on education to whom had been referred Senate bill No. 19 to be entitled an act to reduce the price of the 16th sections in the counties of Randolph and Green, reported the same back to the House and recommended its passage.

The bill under a standing rule of the House was ordered to a third reading on to-morrow.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker—

The committee on internal improvements to whom was referred House bill No. 4 to be entitled an act to grant a charter to Thomas S. Woodward to turnpike the Ouachita swamp opposite to Camden and to keep a ferry across the Ouachita river, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House without amendment and recommended its passage.

TEBBETTS, Chairman.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 3rd time and passed.

Reports from select committees were in order.

Motions and resolutions were in order.

Mr. Bradley introduced the following resolutions:

Resolved, That the Financial Receiver of the State Bank be and he is hereby instructed to report to this House if any of the bills of the State of Real Estate Banks have been at any time sold at a sacrifice by any officer or agent of the bank if so by whom? And under what pretence? And what amount?

Be it further resolved, That the Financial Receiver if he is advised of any violation of the provisions in force presenting the dnties of the Bank by any of the officers or agents and he is hereby instr
ted to report the same to this House, and also report how the
neys and agents of the Bank have been paid the per centag
them by the act of 1849 for their services, and if it has h
in conformity with the laws now in force.

Which resolutions were adopted.

Mr. Emerson with leave introduced a bill to be incorporate the town of Rockport

Which was read a first time.

On motion of Mr. Emerson the rules

bill read a second time and referred to a select committee consisting of

*M*essrs. Emerson, Jackson and Hart.

Mr. James introduced a bill to be entitled an act to amend the police regulations as to slaves,

Which was read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Lafferty with leave introduce a bill to be entitled an act for the relief of James M. Pearce sheriff of Van Buren county,

Which was read a first time.

On motion of Mr. Lafferty the rules were dispensed with and the bill read a 2nd time and referred to a select committee consisting of Messrs. Lafferty, Rosson and Foreste.

Mr. Watson introduced the following.

Resolved, That from and after this day the House will take up the orders of the day at 11 o'clock, a. m.

Which was adopted.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker—

The committee on internal improvements to whom was referred a bill to be entitled an act to grant a charter to Wm. F. S. Barkman to erect a toll bridge across the bayou de Roche, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House with the following amendments thereto and recommend its passage to-wit:

Strike out all after the word "act" in the 7th line of 3rd section and insert in lieu thereof the following:

"Then the said Barkman his heirs and assigns shall be entitled to receive the following tolls, to-wit:

For a four horse wagon	30 cents.
" two horse or ox wagon	20 "
" pleasure carriage	25 "
" man and horse	10 "
" cattle horses, hogs and sheep, per head	2 "

Also amend by striking out the 4th section:

Also amend by striking out all after the word county in the 8th 5th section:

amend by striking out the 6th section.

TEBBETTS, Chairman.

ort was adopted and the bill as amended was ordered for a third reading on to-morrow.

essage was received from the Senate by the Se-

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed bill No. 29 to be entitled an act for the relief of the citizens of Arkansas county—

Also bill No. 37 to be entitled an act for the relief of John Carnall late sheriff of Crawford county—

All of which are herewith transmitted for the assent of the House of Representatives.

The senate have assented to the House bill No. 69, to be entitled an act declaring Maddox's Bay navigable.

Also, to House bill no 70, to be entitled an act to call in the scrip of Scott county, and

Also, to House bill No. 90, to be entitled an act for the relief of George Wilson of Yell county.

All of which are herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Foreste the orders of the day was taken up.

Senate bill No 25, to be entitled an act more fully to define the 5th section of the 97th chapter of the Digest of the Statutes of Arkansas, was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 27, to be entitled an act to amend the 166th chapter of the Digest of the Statutes of Arkansas under the head of vagrants, was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 34, to be entitled an act to limit the time in which widows of deceased persons shall claim dower in certain cases, was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 35, to be entitled an act to amend the law under the head of limitation, was taken up and read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a second time and referred to the committee on the Judiciary.

On motion of Mr. Preston 100 copies of said bill was ordered to be printed for the use of the House.

Mr. Sevier was called to the Chair.

Senate bill No. 38, to be entitled an act to revive chapter 153 of the Digest of the Statutes, was taken up and read a first time and ordered to a second reading on to-morrow.

Senate bill No. 43, to be entitled an act to change the name of Mary A. J. Breedlove, to the name of Mary A. J. Glass, and to constitute her a lawful heir of Joseph B. Glass and of his wife Susan F. Glass, was taken up and read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill read a second and third time and passed.

Senate bill No. 44, to be entitled an act to incorporate the Trustees of the Eldorado Female Academy, was taken up and read a first time.

On motion of Mr. Cline the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Speaker resumed the Chair.

Senate bill No. 45, to be entitled an act to amend the 55th section of chapter 67 of the Digest of the Statutes of Arkansas, in reference to sheriff's sales, was taken up and read a first time.

On motion of Mr. Foreste the rules were dispensed with and the bill was read a second time.

Mr. Foreste moved to refer the bill to a select committee.

Which was lost.

On motion of Mr. Carroll the bill was referred to the committee on the Judiciary.

Joint resolution of the Senate No 12, instructing our Senators and requesting our Representative in Congress to use their influence to procure the establishment of a line of military posts from Fort Smith via Don Anna and the Rio Gila, to California and to procure the establishment of a monthly or semi-monthly mail on said route.

Which was taken up and read a first time.

On motion of Mr. Morton the rules were dispensed with and the resolution was read a second time.

Mr. Carroll moved to amend by inserting 300 copies in the last resolve.

Which was adopted.

On motion of Mr. Morton the rules were dispensed with and the resolution as amended was concurred in.

On motion of Mr. Tebbetts leave of absence was granted to Mr. Adams until Monday next.

Joint resolution of the Senate No. 2, instructing our Senators and requesting our Representative in Congress to use their exertions to procure a change of transportation of the mail on routes No. 5904 from little Rock to Pittsburg, and No. 5956 from Pittsburg to Fort Smith, from two horse coaches to four horse coaches, was taken up and read a second time.

On motion of Mr. Tebbetts the rules were dispensed with and the resolution read a third time and concurred in.

Joint resolution of the Senate No. 2, requiring the committee on Auditors and Treasurer's books to register and burn all Treasury warrants, which have been redeemed, was taken up and read a first time.

On motion of Mr. Gilmer the rules were dispensed with and the resolution read a second and third time, and

On motion of Mr. Trapnall the resolution was laid on the table till to-morrow morning.

Joint resolution of the Senate No. 13, instructing our Senators and requesting our Representative in Congress to use their influence with the Post Master General to have a semi-weekly mail in two horse coaches, from Ozark via St. Pauls, Huntsville, Easleys and Bentonville, to Maysville in Benton county, was taken up and read a first time.

On motion of Mr. Foreste the rules were dispensed with and the resolution read a second and third time and concurred in.

Joint resolution of the Senate No. 11, instructing our Senators and requesting our Representative to use all necessary means to have so much of the act of Congress passed in 1832, as relates to cutting timber on public lands for agricultural purposes repealed or so modified as to exonerate actual settlers from its operation, was taken up and read a first time.

On motion of Mr. Gilmer the rules were dispensed with and the resolution was read a second and third time and concurred in.

On motion of Mr. Cline joint resolution of the House instructing our Senators and requesting our Representative in Congress to use their exertions to procure the establishment of a tri-weekly stage line from Pine Bluff to Fort Smith, on the south side of the Arkansas river, &c., and of a tri-weekly stage line from Van Buren to Fayetteville,

Was taken up and read a first time.

On motion of Mr. Cline the rules were dispensed with and the resolution was read a second and third time and adopted.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I have the honor to present for your Honor's signature an act to repeal the ballot and revive the viva voce system of voting.

JOHN M. ROSS,
Secretary of the Senate.

House bill No. 18, to be entitled an act to amend section 23 of chapter 145, of the late Revised Statutes of the State of Arkansas, on schools and school lands, was taken up and read a third time.

On motion of Mr. Trapnall the bill was laid on the table till to-morrow.

House bill No. 62, to be entitled an act concerning the treatment of slaves was taken up and read.

On motion of Mr. Trapnall the rules were dispensed with in order that the bill might be amended.

Mr. Trapnall moved to amend by striking out the preamble.

Which was adopted.

Mr. Miller moved to lay the bill on the table indefinitely.

Mr. Lafferty called for the ayes and noes, which was sustained, and the roll called.

Those members who voted in the affirmative are,

Messrs. Baker, Billingsley, Brewton, Coldwell, Cauthron, Chandler, Denton, Ferguson, Farmer, Fletcher, Hart, Hardin Harris, Jackson, Leslie, Miller, McIlroy, Moore, Nettles, Russell, Rosson, Singleton, Steward of Crawford, Simpson and Walker—25.

Those members who voted in the negative are,

Messrs. Atkins, Anderson, Armstrong, Ayres, Bailey, Basham, Blakemore, Bradley, Carroll, Cline, Dodson, Dodd, Emerson, Embry, Foreste, Gordon, Gilmer, Greene, James, Johnson, Kinsworthy, Lafferty, Mitchell, McRea, Murph, Morton, Preston, Pyburn, Sevier, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Watson, Wilson, Yochum and Mr. Speaker—42.

So the motion to lay upon the table did not prevail.

Mr. Sadler moved to amend by striking out so much of the first and second sections as gave one half of the penalty to the informant.

Which was adopted.

Mr. Cline moved to amend by inserting in lieu of the words stricken out the following:

"The other half to the common school fund."

Which amendment was adopted.

Mr. Blakemore moved to amend by striking out of the first section the words "or supply such slave or slaves with medicines."

Which was not adopted.

Mr. Coldwell proposed to amend by striking out the whole of the second section.

On motion of Mr. Trapnall the House adjourned.

T. B. FLOURNOY, Speaker.

Saturday, Nov. 30th, 1850.

At the hour to which the House had adjourned the Speaker took the Chair, and a quorum not appearing in the Hall the Speaker ordered a call of the House.

The roll was called.

A number of the absentees now appearing in the Hall

On motion of Mr. Trapnall the call of the House was suspended, and the House proceeded to business.

Prayer by the Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

On motion of Mr. Whittington leave of absence was granted to Mr. Emerson until Thursday next.

On motion of Mr. Embry leave of absence was granted to Mr. Kinsworthy for ten days.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Tebbetts made the following—

REPORT:

Mr. Speaker:

The committee on Internal Improvement to whom was referred a bill to be entitled an act to grant Horace B. Allis a charter to construct a turnpike or plank road across Fourche Bottom, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the following amendment, and recommend its passage, to wit:

Strike out the word "fifty," in the 7th line of the 5th section, and insert in lieu thereof "ninety-nine."

TEBBETTS, Ch'n.

Which amendment was adopted, and

On motion of Mr. Trapnall the bill as amended was laid on the table until Monday next.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to call in the scrip of Poinsett county;

Also, an act to authorize Jesse Brashears and Daniel B. Norris, administrators of the estate of Zadoc Brashears, deceased, to sell the personal property of said estate;

Also an act for the relief of Hon. R. W. Johnson;

Also an act to change the name of Harriet A. E. Frailey to Harriet A. E. Folsom;

Also a resolution instructing our Senators in Congress and requesting our Representative to use their exertion to procure an extension of the mail route recently established from Arkadelphia in Clark county, to the county seat of Montgomery county, and to Waldron, in Scott county;

Also a resolution instructing our Senators and requesting our Representative to procure if possible printed field notes of the surveys of public lands of each county in the State;

Also an act to legalize the acts of the trustees and township commissioners of township 4 south, of range 17 west;

Also an act declaring Maddox's bay navigable;

Also an act for the relief of George Wilson of Yell county;

Also an act to call in the scrip of Scott county;

Also an act for the relief of James Davidson, sheriff of Poinsett county,

And have instructnd me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr. Gordon was called to the Chair.

Mr. Preston from the committee on memorials reported the following draft of a memorial:

To the Honorable Senate and House of Representatives of the United States in Congress assembled.

Your memorialists, the General Assembly of the State of Arkansas, would respectfully represent to your honorable body, that a large number of the sixteenth section heretofore set apart by the General Government for the maintainance of public schools in the various townships in this State, have been found to be entirely worthless for the purposes for which they were intended as to make it highly desirable that Congress should adopt some equitable plan by which the original design of this donation can be fulfilled.

To accomplish an object of such paramount importance to the people of this State your memorialists would most respectfully suggest the propriety of the passage of an act by your honorable body, enabling the school commissioners of the various counties in this State to select other sections of land for school purposes, where the original donation proved to be valueless either from sterility or other causes, and should there not be sufficient good land belonging to the General Government in said township to enable the commissioners aforesaid to make judicious and beneficial selections for the purposes contemplated your memorialists would respectfully ask that they be empowered to select them from any of the public lands, remaining unsold, and not subject to pre-emption in the adjoining township which was read a first time.

On moton of *Mr*. Carroll the rules were suspended, and the memorial read a second and third time, and passed.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The committee on Internal Improvement to whom was referred House bill No. 97 to be entitled an act to create the office of geologist for the State of Arkansas, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House and recommend its rejection.

On motion of Mr. Tebbetts the report and bill were laid on the table till next Tuesday week.

On motion of Mr. Trapnall leave of absence was granted to Mr. Murph till Thursday next.

Mr. Tebbetts with leave presented the memorial of Rufus King asking the General Assembly to enact a law releasing the right by escheat of the State of Arkansas to certain lands of the estate of William Pescod deceased, and vested in him the right to sell for the benefit of said estate.

Which, on motion of Mr. Tebbetts was referred to a select committee consisting of Messrs Tebbetts and Ferguson.

Reports from select committees were in order.

Motions and resolutions were in order.

Mr. Whittington introduced a bill to be entitled an act to call in the Scrip of Montgomery county.

Which was read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr. Speaker resumed the chair.

Mr. Trimble gave notice that he would on Tuesday next ask leave to introduce a bill to change the time of holding the Probate courts of Independence county.

Mr. Harris gave notice that on Thursday next he would introduce a bill to incorporate the town of Bolivar in Poinsett county.

Mr. Walker gave notice that on Tuesday next he would introduce a bill to exempt all free males over the age of fifty-five years from paying a poll tax.

Mr. Simpson gave notice that he would on Tuesday next or some day thereafter ask leave to introduce a bill to be entitled an act to exempt the citizens of McCoul township in Perry connty from serving on grand or petit jureis, during the spring term of the circuit court.

Mr. James introduce a bill to be entitled an act in relation to county tax on lands forfeited to the State and sold by the Auditor and redeemed at the State treasury.

Which was read a first time.

On motion of Mr. James, the rules were dispensed with and the bill read a second time and referred to the committee on ways and means.

Mr. Dodd gave notice that he would on Tuesday next introduce a bill to provide for the sale of the Salt Springs and lands thereto attached and to appropriate the proceeds thereof to the support of common schools.

Mr. Cauthron introduced a bill to be entitled an act for the relief of the Sheriff of Scott county.

Which was read a first time.

On motion of Mr. Cauthron, the rules were dispensed with and the bill read a second time and referred to a select committee consisting of Messrr Cauthron, Steward of Crawford and Atkins.

Mr. Embry introduced a bill to be entitled an act to change the time of holding the circuit courts of Prairie county.

Which was read a first time.

On motion of Mr. Embry, the rules were dispensed with, and the bill read a second time and referred to the committee on the judiciary.

Mr. Lafferty gave notice that he would on Monday next, or some convenient day thereafter, ask leave to introduce a memorial to the Congress of the United States, asking Congress to donate to the State of Arkansas, all the public lands within the State, that have been in market for ten years and better.

Mr. Atkins introduced a bill to be entitled an act to remove free negroes and free mulattoes from the State of Arkansas,

Which was read a first time.

On motion of Mr. Tebbetts the rules were suspended and the bill read a second time.

On motion of Mr. Miller the bill was rejected.

The following message was received from the Senate by the secretary.

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have assented to House bill No. 78, to be entitled an act for the relief of John Cecil, late Sheriff of Newton county, with an amendment therein which your honorable body is respectfully asked to concur.

Which is herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Trapnall introduced the following resolution.

Resolved, That the committee on the Auditors and treasurers books be and they are hereby instructed to inquire into and ascertain the amount of the deficit in the treasury, when such deficit, when it transpired, what steps have been taken to secure the interest of the State, what part secured and what security has been taken for the same.

Also to enquire into whether the treasurer or the land attorney is responsible for the amount paid by the attorney to the treasurer and for which receipts were not taken according to law and report the same to the House at as early a period as possible.

Which was adopted.

Mr. James introduced the following resolution:

Resolved, That our Senators and Representative in Congress be instructed to exert their influence to procure the establishment of a semi-weekly line of mail stages from Pine Bluff, Jefferson county thence via Talledego, *M*ount Elba and Warren to the city of Camden and thence to Washington, in Hempstead county in this State touching at all intermediate post offices and to have the one horse mails on said route which are deemed wholly inadequate to the exigencies of the service dispensed with.

Which was adopted.

Mr. Ferguson with leave introduced a bill to be entitled an act to blend all the school funds of Arkansas in support of common schools

Which was read a first time.

On motion of Mr. Ferguson, the rules were dispensed with, and the bill read a 2d time and referred to the committee on education.

Mr. Stuart of Green introduced the following resolution.

Resolved, that this House do now proceed to appoint by ballot a committee of eleven to act in conjunction with such committee as may be appointed on the part of the Senate whose duty shall be to inquire into the expediency and practicability of removing the capital of this State to some point on the Mississippi river, and that they report by bill or otherwise.

Mr. Carroll moved to reject the resolution.

Mr. Harris called for the ayes and noes, which was sustained and the roll was called.

Those members voting in the affirmative are.

Messrs Anderson, Arinstrong, Baker, Bassham, Blakemore, Brewton, Carroll, Chandler, Cline, Dodd, Farmer, Foreste, Gordon. Gilmer, Green, Hart, Jackson, James, Johnson, Miller, McIlroy, McRae, Morton, *M*iller, Russell, Rosson, Steward of Crawford, Sissel, Simpson, Sadler, Trapnall, Tobey, Walker, Whittington, Watson, and Wilson—36.

Those voting in the negative are,

Messrs Atkins, Ayers, Bradley, Coldwell, Cauthron, Denton, Dodson, Embry, Ferguson, Fletcher, Hardin, Harris, Leslie, Lafferty, Mitchell, Murph, Moore, Preston, Pyburn, Singleton, Stuart of Green, Sevier, Trimble, Tappan, Tebbetts, Witherspoon, Woodward, Yochum, and Mr. Speaker—29.

So the resolution was rejected.

On motion of Mr. Gilmer the orders of the day were taken up.

Senate bill No. 19 to be entitled an act to reduce the price of the sixteenth section in the counties of Randolph and Green, was taken up and read a 3d time and on motion of *M*r. Cline was laid on the table until Tuesday.

Senate bill No. 25 to be entitled an act more fully to define the 5th section of the 97th chapter of the Revised Statutes, was taken up and read a 2d time and on motion of Mr. Carroll was referred to the committee on Internal Improvements.

Senate bill No. 27 to be entitled an act to amend the 166th chapter of the Digest of the Statutes of Arkansas under the head of Vagrants was taken up and read a 2d time.

On motion of Mr. Farmer the rules were dispensed with and the bill was read a 3d time and passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I have the honor to present for your honor's signature, an act for the relief of R. B. Sagely, sheriff of Franklin county.

JOHN M. ROSS
Sec'y of the Senate.

Senate bill No. 29, to be entitled an act for the relief of the citizens of Arkansas county was taken up and read a 1st time and ordered to a 2d reading on Monday.

Senate bill No. 24, to be entitled an act to limit the time in which widows of deceased persons shall claim dower in certain cases, was taken up and read a 2d time, and on motion of Mr. Gilmer referred to the committee on the judiciary.

Senate bill No. 37, to be entitled an act for the relief of John Carnall, late sheriff of Crawford county, was taken up and read a 1st time.

On motion of Mr. Morton, the rules were dispensed with, and the bill was read a 2d time and referred to a select committee, consisting of Messrs Morton, Tebbetts and Russell.

Senate bill No. 38, to be entitled an act to revive chapter 153 of the digest of the statutes, under the head of runaway slaves, was taken up and read a 2d time; and on motion of Mr. James referred to the committee on the judiciary.

The following message from the Senate was received by the Secretary:

Mr. Speaker.

I am instructed to inform your honorable body that the Senate have passed an act to pay certain militia called into Service by Gen. Allen Wood, under instructions of the Governor of the State, to restore the supremacy of the laws, and to suppress insurrection movements in Marion county, in the months of Sept., Oct., Nov., and December, 1849.

J. M. ROSS, Sec'ry of Senate.

Joint resolution of the Senate requiring the committee on Auditor's and Treasurer's books, to register and burn redeemed treasury warrants, and to employ a clerk for that purpose was taken up and read a 3d time and concurred in.

House bill No. 62, to be entitled an act concerning the treatment of slaves, was taken up.

Mr. Caldwell moved to amend by striking out the 2d section.

Mr. Miller moved to reject the bill.

Mr. Wilson called for the ayes and noes, which was sustained and the roll was called.

Those members voting in the affirmative, are,

Messrs. Baker, Basham, Bradley, Brewton, Chandler, Denton, Dodd, Farmer, Foreste, Fletcher, Gordon, Hart, Hardin, Harris, Jackson, Johnson, Leslie, Miller, McIlroy, McKae, Nettles, Roson, ton, Sissel, Simpson, Sadler, Trimble, Walker and Yochum—29.

Those members voting in the negative, are,

Messrs. Atkins, Anderson, Armstrong, Ayers, Blakemore Carroll, Caldwell, Cline, Dodson, Embry, Ferguson, Gilmer, Greene, James, Lafferty, Mitchell, Murph, Morton, Moore, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Woodward, Watson, Wilson and Mr. Speaker—35.

So the bill was not rejected.

Mr. Woodward moved to strike out all after the word "hunger" in the 8th line of the 1st section to the words "shall be deemed guilty" in the 14th line.

Which was not adopted.

Mr. Preston moved to amend by striking out the words "one hundred dollars" in the 17th line of 1st section and inserting in lieu thereof the words "$25 nor more than $50."

Which amendment was adopted.

Mr. Trapnall offerred a substitute for the 2d section.

Mr. Carroll moved to amend the substitute by inserting after the word "master" in the 14th line the words "or otherwise prove by competent testimony that the slave was" which amendment was accepted by Mr. Trapnall.

On motion of Mr. Woodward the bill and amendments were recommitted to the committee of the whole House and made the order of the day for Tuesday next.

On motion of Mr. Watson the House adjourned.

T. B. FLOURNOY,
Speaker of H. Reps.

MONDAY, December 2d, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of Saturday was read and approved.

Mr. Sevier was excused by the House for being absent on Saturday.

On motion of Mr. Cline leave of absence was granted Mr. Fagan, Ass't clerk.

Petitions from counties were in order.

Mr. Sadler presented the petition of sundry citizens of Yell county, asking that Dardanelle township, in Pope county, may be attached to the county of Yell.

Which, on motion of Mr. Sadler was laid on the table for the present.

Reports from standing committees were in order.

Reports from select committees were in order.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred the memorial of Rufus King, have had the same under consideration and have instructed me to report the accompanying bill to be entitled an act to legalize the will of William Pescod, deceased, and recommend its passage.

TEBBETTS, Ch'n.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill read a 2d and 3d time and passed.

Motions and resolutions were in order.

Mr. Woodward was called to the chair.

Mr. Farmer gave notice that he would on Wednesday next or some convenient day thereafter, ask leave to introduce a bill for the relief of Anthony Smith of Johnson county.

Mr. Morton with leave made the following

REPORT:

The select committee to whom was referred Senate bill No. 37, to be entitled an act the relief of John Carnall, late sheriff of Crawford county, have had the same under consideration and instructed me to report the same back to the House with the following amendment thereto, and to recommend its passage, to-wit: after the word "next" in the 32d line of the 1st section, amend by adding "together with legal interest thereon from the date said revenue was due up to the time of payment."

The question was upon the adoption of the amendment.

Mr. Steward of Crawford called for the ayes and noes.

Which was sustained and the roll called.

Those members voting in the affirmative, are,

Messrs. Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Gilmer, Greene, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Mitchell, McRae, Morton, Moore, Nettles, Patrick, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Sissel, Simpson, Trimple, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson and Yochum—59.

Those members voting in the negative, are,

Messrs. Anderson, Brewton, Carroll, Gordon, Miller, McIlroy, Preston, Sevier and Sadler—10.

So the amendment was adopted.

On motion of Mr. Morton the rules were dispensed with and the bill was read a 3d time as amended and passed.

Mr. Eaton introduced the following resolution:

Resolved, That a standing committee of five be appointed on Propositions and Grievances.

Which was adopted.

Whereupon the chair appointed Messrs. Eaton, Denton, Morton, Carroll and Ferguson, as such committee.

Mr. Patrick gave notice that on some subsequent day he would ask leave to introduce a bill to amend chapter 96 of the revised statutes in relation to landlord and tenant.

Also to amend the law regulating the property of married women.

Mr Ayers with leave introduced a bill to be entitled an act to exempt certain persons from paying a poll tax.

Which was read a first time.

On motion of Mr Ayers the rules were dispensed with and the bill was read a 2d time and referred to the committee on ways and means.

Mr. Trapnall presented certain papers relative to Bv't Brg. Gen'l Belknap, which were on motion of Mr. Trapnall referred to the committee on the militia.

Mr. James with leave introduced a bill to be entitled an act to change the time of holding the probate court of Jefferson county, Arks.

Which was read a 1st time.

On motion of Mr. James the rules were dispensed with and the bill was read a 2d time and referred to a select committee consisting of Messrs James, McRae and Cline.

Mr Coldwell introduced a bill to be entitled an act supplementary to an act to distribute the proceeds of 500,000 acres of land donated to the State of Arkansas for internal improvements, approved Dec· 30th, 1848.

Which was read a 1st time.

On motion of Mr. Coldwell the rules were dispensed with and the bill was read a 2d time and referred to the committee on internal improvements.

Mr Speaker resumed the chair.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I have the honor to present for your Honor's signature an act to amend the 166th chapter of the digest of the statutes of the State of Arkansas under the head of vagrants.

Also an act to change the name of Mary A. J. Breedlove to Mary A. J Glass, and to constitute her a lawful heir to the estate of Joseph B. Glass and of his wife Susan F. Glass.

Also an act to incorporate the trustees of the Eldorado Female Academy.

Also a resolution requesting our delegation in Congress to use their exertions to procure a change in the transportation of the mail routes No. 5,904, from Little Rock to Pittsburg and No. 5,956 from Pittsburg to Fort Smith, from two horse coaches to four horse coaches.

Also a resolution requesting our delegation in Congress to use their influence to procure a semi-weekly two horse post-coach line for the conveyance of the A. S. mails from Ozark in Franklin county, via St. Pauls, Huntsville; Easley's, Bentonville to Maysville in Benton county.

Also a resolution requesting our delegation in Congress to use all necessary means to have so much of the act of Congress passed in the year 1832, as relates to persons cutting timber on the public land for all necessary agricultural purposes, repealed or so modified as to exonerate actual settlers from the operation of said act.

Also a resolution making it the duty of the committee on Auditor's and Treasurer's books to cause to be registered in a well bound book all teeasury warrants which have been redeemed and now in the State treasury and to employ a clerk.

JOHN M. ROSS
Sec'y of Senate.

Mr Eaton moved an adjournment which was lost.

The following communication from the Governor was received by M. L. Bell, Esq., his private secretary.

Mr. Speaker:

I am instructed to report to your honorable body that the Governor has approved and signed an act for the relief of Hon. R. W. Johnson.

Also an act to change the name of Harriet A. E. Fraley to Harriet A. E. Folsom.

Also an act to authorize Jesse Brashears and Daniel B. Norris, administrators of the estate of Zadoc Brashears, deceased to sell the personal property of said estate.

Also an act to call in the county scrip of Poinsett county.

Also an act for the relief of James Davidson, sheriff of Poinsett county.

Also an act for the relief of George Wilson of Yell county.

Also an act to legalize the acts of the trustees and township commissioners of township four, south of range seventeen west.

Also an act to call in the scrip of Scott county.

Also an act declaring Maddox's Bay navigable.

Also a resolution instructing our Senators and requesting our Representative in Congress to procure if possible printed *field notes* of the surveys of the public lands in each county in this State.

Also a resolution instructing our Senators and requesting our Representative in Congress, to use their exertions to procure an extension of the mail route recently established from Arkadelphia in Clark county to the county seat yf Montgomery county to Waldron in Scott county.

M. L. BELL,
Private Sec'y.

Om motion of Mr Watson, the orders of the day were taken up.

On motion of Mr. Watson House bill No. 86, to be entitled an act making certain appropriations, was taken up and read a 2d time.

On motion of Mr. Watson the rules were dispensed with and the bill was read a 3d time and passed.

On motion of *M*r Nettles the House adjourned.

T. B. FLOURNOY, *Speaker*.

TUESDAY, *December* 3, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

On motion of *M*r. Watson the vote taken yesterday on bill No 86 to be entitled an act making certain appropriations, was reconsidered.

And the bill was, on motion of Mr. Watson, recommitted to the committee on ways and means.

Mr. Speaker laid before the House the following communication from J M Ross, Financial Receiver:

STATE BANK,
LITTLE ROCK,
December 3, 1850.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives:

In response to a resolution adopted by the House of Representatives, over which you have the honor to preside, on the 29th ult., requiring and instructing the Financial Receiver of the Bank of the State of Arkansas, to report to the House of Representatives "If any of the bills of the State, or Real Estate Bank, have been, at any time, sold at a sacrifice by any officer or agent of the Bank? If so, by whom? and under what pretence; and what amount; if he is advised of any violation of the provisions in force, presenting the duties of the Bank, by any of the officers or agents, to report the same; and how the attorneys and agents of the bank have been paid; the per centage given them, by the act of 1849, for their services, and if it has been done in conformity with the laws now in force;" I have the honor herewith to submit the following:

A E Thornton, late receiver of the principal bank, at Little Rock, sold, while he was receiver, $104,142 67, of Real Estate bank notes, for the sum of $28,106 06, in specie, to pay salaries of bank officers, costs, repairs on bank house, and for the rebuilding of the Penitentiary.

C D Cook, Esq., late Financial receiver of the Branch of the State bank at Batesville, sold, during the years 1846, 1848, &c., $14,214 62, of Real Estate bank paper, for $5,785 64, in specie, to pay costs and incidental expenses,—independent of the salaries of the officers, which were paid at the principal bank.

Mark Mitchell, Esq., late receiver at the Arkansas Post Branch, sold, or he and the attorney, M. W. Dorriss, retained, to pay their salaries of $1,666 66, the sum of $6,666 66, in Real Estate Bank paper.

And at the Fayetteville branch, R P Pulliam sold, to pay fee-bills, amounting to $765, 95, the sum of $2,173 93, in Real Estate bank paper.

Making a total of $127,197 86, in Real Estate paper, sold, by the officers of the bank,—previous to the taking effect of the law now in force, for $36,324 31, in specie; or a small fraction over 28 cents on the dollar.

The last General Assembly adjourned without making any appropriations to pay the salaries of bank officers, or to pay costs to the officers of the court where suits were instituted; consequently none of the officers have been paid for their services out of the State treasury, as required by law.

The Attorney General for the Bank at Little Rock, retained 10 per cent. on his collections made previous to the 1st day of July, 1850, which will be seen, by reference to table 'F.' accompanying my printed report, to amount to $3,753 08. Under the law, he is entitled to receive, out of the State treasury, upon the certificate of the Financial Receiver, the value of the above amount. In settling with the attorneys, and giving them certificates, under the law, I have to be governed by the value of Arkansas money in this market, which has been about as follows:

From April to July, 1849, it was worth 35 cents on the dollar; from July '49, to Jan'y, 1850, it was worth about 40 cents on the dollar; and from January to July, 1850, it was worth about 50 cents on the dollar. As the Attorney's account with the principal bank remains unsettled, I cannot state positively the amount he would be entitled to receive out of the treasury, but suppose something about $1,500. He has not received the certificates of the Financial receiver for his salary, under the law.

The attorney for the Fayetteville branch, has paid into bank the amount reported by him to have been collected up to the 1st July last, and about $3,000 over. The per centage due him, out of the treasury, for the amount collected and paid over, is $1,871 21, for which he has received certificates under the law.

The attorneys at Batesville and the Post Branches, have unsettled accounts, and have not yet received any certificates for collections made.

The agent appointed by the Governor to bring in the assets of the different branches of the State Bank, retained in his hands, or has unsettled balance due from him on account of collections made by him at the different branches, of $2,373 82. In my printed report, or rather in table 'F,' accompanying said report, I state this balance to be $2,758 82, which is $385 more than is due from him.—This is explained as follows: He received from R P Pulliam, Receiver at Fayetteville, a certificate of deposit, given him by A E Thornton, late Receiver of the principal Bank, to Messrs. Adams & Ward, and which was paid into said branch as cash, and paid over by the receiver to the agent as cash, but, in giving credit here, I did not give him credit for this certificate, but charged him with the total amount of cash received at Fayetteville.

It certainly is the policy of the State to pay these officers for their services, as required by law; and require them to pay the amount retained by them into the bank; which I am advised they are ready and willing to do.

I do not know, of my own knowledge, of any officer of the bank selling Arkansas money belonging to the bank. All I can say, that the amounts heretofore stated, were retained; but, whether it was sold by them, or what they have done with it, I cannot say. They would, no doubt, state the disposition made of it, if called on.

For my own part, I have never sold any Arkansas money that belonged to the bank; neither have I ever retained one cent in payment of my salary as Receiver.

I have the honor to be,
Very respectfully, your ob't serv't,
JOHN M. ROSS,
Financial Receiver.

On motion of Mr Tobey 1000 copies of the foregoing communication were ordered to be printed for the use of the House.

On motion of Mr. Trapnall the report of the Financial Receiver was referred to the committee on banks, and they were instructed to make strict investigations into the conduct of the State bank officers.

Mr Trapnall from the committee on the judiciary to whom was referred the petition of Henry F Sewall reported to the House a bill to be entitled an act for the relief of Henry F Sewall as surviving executor of the will of Mary C. Sewall, and recommended its passage.

The bill was then read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr Witherspoon was called to the chair.

Mr Trapnall from the committee on the judiciary to whom was referred Senate bill No 21 to be entitled an act to confer jurisdiction on justices of the peace on the subject of Sabbath breaking, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr Trapnall from the committee on the judiciary to whom was referred Senate bill No. 34 to be entitled an act to limit the time in which the widows of deceased persons shall claim dower in certain cases, reported the same back to the House unfavorably and recommended its rejection.

Which report was adopted and be bill rejected.

Mr Trapnall from the committee on the judiciary to whom was referred Senate bill No. 8 to be entitled an act to change in part the time of holding the circuit courts in the 6th judicial circuit, reported the same back to the House and recommended its passage.

On motion of Mr Sevier the rules were dispensed with and bill was read a third time and passed.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendment of the House of Representatives to Senate resolution No. 12 asking the General Assembly to establish a line of military posts from Fort Smith to California via Donna, and, also in the amendment of the House of Representatives to Senate bill

No. 37 to be entitled an act for the relief of John Carnall late sheriff of Crawford county.

The Senate have assented to House bill No. 45 to be entitled an act to amend the 80th chapter of the digest of the Statutes under the head of guardians and wards.

Also to House bill No. 94 to be entitled an act for the relief of Wm L Buford.

Also to House bill No. 28, to be entitled an act to amend the 94th section of 95th chapter of the digest.

Also to House bill No. 27 to be entitled an act to prevent speculation in donation lands and to dispense with the making of improvement thereon by minors and married women with two amendments thereto in which your honorable body is asked to concur.

The Senate have not assented to House bill No. 59 to be entitled an act for the relief of John W Fullerton late sheriff and collector of Hot Spring county, but have adopted a substitute which is herewith transmitted for the assent of the House of Representatives.

The Senate have ratified the amendment to the constitution placing Washington county on an equality with the balance of the counties of the State.

All of which are herewith returned.

The Senate have passed the following bills:

No. 47 to be entitled an act to provide for the printing of the Governors message and for the making and printing the reports of the different State officers.

Also No. 52 to be entitled an act to call in the scrip of Marion county.

Also No. 39 to be entitled an act supplementary to an act to incorporate the Van Buren and Fayetteville Turnpike Company.

Also No. 42 to be entitled an act to authorize the sale of the 16th sections for less than $2 00 per acre in certain cases.

Also No. 26 to be entitled an act to incorporate the Grand Lodge of the Independent order of Odd Fellows of the State of Arkansas.

Also No. 50 to be entitled an act to amend in part 140th chapter of the digest of the Statutes of Arkansas under the head of roads and highways.

And also bill No. 36 to be entitled an act to establish the county of Calhoun.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have adopted a joint resolution requesting our delegation in Congress to use their influence to have a weekly mail established from Princeton in Dallas county to Eldorado in Union county.

Which is herewith transmitted for the concurrence of the House of Representatives.

J. M. ROSS,
Secretary of the Senate.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill to be entitled an act to change the time of holding the circuit courts of Prairie, reported the same back to the House and recommended its passage.

On motion of *Mr*. Trapnall the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill to be entitled an act to revive chapter 153 of the Digest of the Statutes under the head of Runaway slaves, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill to be entitled an act to amend the 55th section of chapter 67 of the Digest of the Statutes of Arkansas in refermce to Sheriff's sales, reported the same back to the House and recommended its rejection

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill to be entitled an act to repeal section 23rd and 24th of the 65th chapter of Statutes of Arkansas, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill to be entitled an act making certain appropriations reported the same back to the House and asked to be discharged from the further considereation thereof and recommended it to be referred to the committee on Ways and Means.

Which report was adopted and the bill was referred to the committee on Ways and Means.

Mr. Trapnall from the committee on the judiciary to whom was referred House bills No. 5, 19, 22 and 48 on the subject of the mode of summoning petit jurors, reported the same back to the House and recommended that the counties of Lawrence and Montgomery be exempted from the operation of the present law relative to the mode of summoning petit jurors.

On motion of Mr. Cline the report and accompanying bills were laid on the table for the present.

Mr. Speaker resumed the chair.

Mr. Lafferty from the select committee to whom was referred a bill to be entitled an act for the relief of James M Pierce late sheriff of Van Buren county, reported to the House a substitute entitled as above and recommended its adoption.

Whereupon the substitute was read a first time and adopted

On motion of Mr. Lafferty the rules were dispensed with and the bill read a 2nd and 3rd time and passed.

Mr. Cauthron made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill to be entitled an act for the relief of the sheriff of Scott county, have had the same under consideration and instruct me to report the same back to the House without amendment and recommend its passage.

CAUTHRON, Chairman.

On motion of Mr. Cauthron the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Foreste with leave introduced a bill to be entitled an act to reduce representation in the General Assembly.

Which was read a first time.

On motion of Mr. Foreste the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Coldwell introduced a bill to be entitled an act to change the time of holding the county and probate courts of St. Francis and Poinsette counties

Which was read a first time.

On motion of Mr. Coldwell the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of

Messrs. Coldwell, Harris and Leslie.

Mr. Billingsly introduced a bill to be entitled an act to authorize the clerk of Fulton county to transcribe certain records.

Which was read a first time.

On motion of Mr. Billingsley the rules were dispensed with and the bill read a second and third time and passed.

Mr. Trapnall introduced a bill to be entitled an act providing for the construction of levies, drains &c.

Which was read a first time by title.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of

Messrs. Trapnall, Fletcher, Bradley, Singleton, Ferguson, Preston, Tappan, James, Sevier, Greene, Coldwell, Woodward, Witherspoon and Tebbetts.

On motion of Mr. Trapnall, Mr. Speaker was added to the committee.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I have the honor to present for your honor's signature an act for the relief of John Carnall late sheriff of Crawford county

Also a resolution instructing our Senators and requesting our Representative in Congress to urge the necessity and importance of establishing a line of military posts from Fort Smith to California via Donna Ana.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Cline gave notice that he would on to-morrow or some convenient day thereafter ask leave to introduce a bill to change the time of holding the regular terms of the Supreme court of this State.

On motion of Mr. Woodward, Senate bill No. 36 to be entitled an act to establish the county of Calhoun

Was taken up and read a 1st time.

On motion of Mr. Woodward the rules were dispensed with and the bill was read a 2nd time.

And on motion of Mr. Trapnall said bill was referred to the committees on counties and county lines.

Senate bill No. 24 to be entitled an act to grant Horace B. Allis a charter to turnpike Fourche bottom,

Was taken up and read.

Mr. Trapnall offered the following amendment:

Be it further enacted, That if hereafter a charter for a rail road or plank road should be granted by the General Assembly running in the direction of this road such rail road or plank road shall commence at the southern terminus of this road, said Allis shall be compelled to make within one year from the completion of such rail or plank road, a rail or plank road from the southern terminus to the city of Little Rock corresponding with the same.

Which was adopted.

Mr. Miller moved to strike out the 8th section.

Mr. Farmer called for the ayes and noes on the motion which call was sustained and the roll called.

Those members who voted in the affirmative are

Messrs. Atkins, Ayers, Basham, Billingsley, Brewton, Chandler, Dodson, Dodd, Farmer, Foreste, Fletcher, Hardin, Harris. Imboden, James, Johnson, Leslie, Lafferty, Miller, Nettles, Patrick, Sissel, Simpson, Sadler, Tebbetts, Walker, Wills and Yochum—28.

Those members who voted in the negative are

Messrs. Anderson, Armstrong, Bailey, Baker, Blakemore, Bradley, Carroll, Coldwell, Cauthron, Cline, Denton, Eaton, Embry, Ferguson, Gordon, Gilmer, Greene, Jackson, Mitchell, McIlroy, McRae, Morton, Preston, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sevier, Trimble, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Watson, Wilson and Mr. Speaker—40.

So the motion to strike out the 8th section was lost.

Mr. Eaton introduced a bill to be entitled an act to repeal an act distributing the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement purposes

Which was read a first time.

Mr. Mitchell moved to lay the bill on the table until the fourth of July next.

On motion of Mr. Dodson the House adjourned.

T. B. FLOURNOY, *Speaker*.

Wednesday, Dec. 4th 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Whittington presented the petition of James H. May, sheriff of Montgomery county, praying that certain penalties paid by him into the State Treasury may be refunded to him.

Mr. Rosson presented the petition of George H. Morton asking a change in that portion of the State road passing through his farm.

Which was on motion of Mr. Rosson referred to a select committee consisting of

Messrs. Rosson, Trapnall and Billingsley.

Reports from standing committees were in order.

Mr. Tobey from the committee on counties and county lines to whom was referred Senate bill No.— to be entitled an act to establish the couunty of Calhoun, reported the same back to the House and recommended its passage.

On motion of Mr Trapnall the rules were dispensed with, the bill was read a 3rd time and passed.

Mr. Anderson was called to the chair.

Reports from select committees were in order.

Mr. Coldwell from the select committee to whom was referred House bill to be entitled an act to change the time of holding the county and probate courts in St. Francis and Poinsett counties reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Coldwell the rules were dispensed with and the bill was read a 3rd time and passed.

Motions and resolutions were in order.

Mr. Whittington introduced a bill to be entitled an act to refund to James H. May sheriff of Montgomery county certain penalties paid by him

Which was read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Speaker resumed the Chair.

On motion of Mr. Denton leave of absence was granted to Mr. Baker on account of illness.

Mr. Russell gave notice that he would on to-morrow, or some day thereafter introduce a bill to incorporate the Odd Fellows' Hall Association of Fort Smith.

Mr. Harris introduced a bill to be entitled an act to amend the law in relation to wolf scalps, and to repeal the 1st section of chapter 172 of the Statutes of Arkansas.

Which was read a first time.

On motion of Mr. Harris the rules were dispensed with and and the bill was read a second time and referred to a select committee consisting of Messers Harris, Miller, Trapnall, Embry and Eaton.

Mr. Singleton introduced a bill to be entitled an act to amend 145th chapter of the Statutes.

Which was read a first time.

On motion of Mr. Singleton the rules were dispensed with and the bill was read a second time and referred to the committee on Education.

Mr. Farmer introduced the following joint resolution.

Resolved by the General Assembly of the State of Arkansas, That the joint standing committee on banks be instructed to enquire how much of the five per cent fund due the State on the nett proceeds of the sales of the public lands of the United States lying in this State, has been deposited since 1845, to the credit of the State, and report the result of their examination, and that the Senate be requested to concur herein.

Which was read a first time.

On motion of Mr. Farmer the rules were dispensed with, the resolution was read a second and third time and adopted.

On motion of Mr. Stuart of Green, leave of absence was granted to Mr. Mitchell on account of illness.

Mr. Simpson introduced a bill to be entitled an act to exempt the citizens of McCoal township, Perry county, from serving on Grand and petit jurors at circuit courts in the spring terms thereof.

Which was read a first time.

On motion of Mr. Simpson the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Sadler introduced a bill to be entitled an act to extend the time of payment of the State revenue by the sheriffs of this State.

Which was read a first time.

On motion of Mr. Sadler the rules were dispensed with and the bill was read a second time.

On motion of Mr. Cline the bill was referred to the committee on ways and means.

On motion of Mr. Coldwell it was ordered that 200 copies of the bill to be entitled an act supplementary to an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement, approved, Dec. 30, 1848, be printed for the use of the House.

Mr. Wills introduced a bill to be entitled an act to change the name of Middleton Hathcock and others of his family to that of Aikins.

Which was read a first time.

On motion of Mr. Wills the rules were dispensed with and and the bill was read a second and third time and passed.

Mr. Leslie gave notice that he would on Saturday next, or on some convenient day thereafter, ask leave to introduce a bill to amend chaptsr 165, Euglish's Digest.

Mr. Cauthron gave notice that he would on Friday next, or on some convenient day thereafter introduce a bill to be entitled an act to change the time of holding the probate court in Scott county.

Mr. Trimble introduced a bill to be entitled an act to change the time of holding the probate courts of Independence county.

Which was read a first time.

On motion of Mr. Trimble the rules were dispensed with and the bill was read a first and second time and passed.

Mr. Carroll introduced the following resolution.

Resolved, That the joint committee on banks be instructed to enquire into the matters contained in the official report of the Financial Receiver made to this House yesterday and to report in full the result of their deliberations, and that the Senate be requested to concur herein.

Which was adopted.

Mr. Cline introduced the following resolution.

Resolved, That when the House adjourns to-day, that it will adjourn until Friday, in order that we may participate in the general thanksgiving on to-morrow, recommended by His Excellency, the Governor.

Which was adopted.

On motion of Mr. Dodson, House bill to be entitled an act for the relief of John Cecil late sheriff of Newton county, was taken up and the amendment of the Senate therto concurred in.

M. L. Bell, Esq., Private Secretary of the Governor, appeared in the Hall and delivered the following communication from His Excellency.

EXECTTIVE OFFICE, Dec. 4, 1850.

HON. T. B. FLOURNOY, *Speaker*
of the House of Representatives.

The Auditor of Public Accounts has this day transmitted to this Office a Report of the Land Attorney and State Collector, made by that Officer to him, in relation to the alleged defalcation of the late Treasurer, SAMUEL ADAMS, with a request that the same be laid before the Legislature.

I have the honor to transmit the accompanying documents, and would respectfully request that the subject referred to may receive your early attention at your earliest convenience.

I have the honor to be, with respect,
Your obedient servant,
JOHN SELDEN ROANE.

AUDITOR'S OFFICE,
Little Rock, Ark's, Dec. 4, 1850.

TO HIS EXCELLENCY, JOHN SELDEN ROANE,
Governor of the State of Arkansas:

SIR: I herewith transmit to you the report of the Land Attorney and State Collector, and agreeably to the request therein contained, a copy of the report and accompanying papers, bearing date 12th February, 1850, and received in this office 15th February 1850.

Respectfully, your ob't serv't,
C. C. DANLEY, *Auditor*
of Arkansas.

REPORT.

LITTLE ROCK, ARKANSAS,
December 3, 1850.

TO C. C. DANLEY ESQ., *Auditor*
of Public Accounts of Arkansas:

SIR: I beg leave respectfully to submit the following report in regard to the collection of the funds arising from the sale of the Seminary Lands, and those granted by Congress to the State for Internal Improvement purposes.

Your office was in possession of the amounts collected anterior to the date of your last report to the legislature—except about the sum of $2,500, which had been collected and was in the hands of sheriffs and other officers, and was not paid over to me until since the date of that report. This sum has since been paid over, and is included in the amounts next mentioned.

I shall file, so soon as the Treasurer returns, in your office the Treasurer's receipt for $4,891 98, collected on account of the Internal Improvement fund; and for $1,861 45, collected on account of the Seminary fund; which include all collections made since and not included in your last report. Upon lands, given for Internal Improvement purposes, judgments have been obtained to the amount of $22,699 52½; and the amounts will be realized as speedily as the law will permit.

Upon bonds given for the seminary lands, judgments have been obtained to the amount of $41,905 44. Of this amount, however, the collection of the sum of $33,869 60, has been and still continues suspended by injunctions and appeals to the Supreme Court of this State and of the United States, as stated in my report upon this subject to the Governor in 1848.—The residue of these judgments will, no doubt, be speedily collected.

The great number of bonds given in purchase of portions of the 500,000 acre grant, by persons living in almost every portion of the State, would render necessary the agency of many officers, if suits were brought upon each instalment of every bond as it falls due; and even if such officers were all worthy, among so many suits, much irregularity would certainly exist; and endless litigation and confusion would be the result. To prevent this state of things, I have thought it to the interest of the State where suits were necessary at all, to delay suits until, at least, the instalments amounted to such sum as would give the Circuit

Courts jurisdiction. As a conesquence of this, in my judgment, necessary policy, there is a large fund due, upon which no suits have been brought, nor any payments made. However the present state of things may be regretted, it is, perhaps, preferable to any result to be produced by scattering the bonds over the State in the hands of one hundred or more constables and magistrates, whose good intentions would not always compensate for lack of skill in judicial proceedings.

A large portion of this fund cannot now be collected, for the reason that many persons who have entered lands are insolvent or non-residents of the State. In such cases, sec 21, of ch. 97, New Code, provides that if no payments are made until the *last* instalment falls due, the lands shall revert to the State; and I presume the construction of that section would be, that the lands should be then re-sold, at the present price of $1 25 per acre.

I think this law should be changed for the following reasons:

That it gives non-resident debtors the privilege of a credit of 5 or 10 years, as the case may be, when resident debtors are compelled to pay by yearly instalments; and that in cases of insolvency, the State lies out of the use of the money and interest for the period of 5 or 10, years, according to the length of cridit given.

In any change of this law, however, it would be necessary to guard the State against loss from this cause; many of these lands were entered at $2 00 per acre, and in several cases within my knowledge, where the original parties are insolvent, they have transferred their interest to third persons who are solvent, but who refuse to pay, in the hope that contracts may be forfeited, and they thus enabled to re-enter the lands at $1 25 per acre, and thus deprive the State, not only of interest, but of the difference in price. Such persons should be cut off from the privilege of entering the lands when forfeited; unless indeed the legislature should think proper to render the price of the lands uniform and require but the $1 25 per acre in all cases.

There is now no provision of law for the payment of costs by the State, in any suits growing out of these land funds. All other agents employed in the collection of their funds are compensated for their services; and I see no reason why officers of Court should be an exception. It necessarily happens, frequently, that nothing can be made out of persons sued by the State; and in all such cases under the present law, the officers have no means of payment. The aggregate of such costs would amount to no great sum; but still the officers deem it a grievance that they should lose even such small sums. It seems to me some provision should be made for the payment of costs accruing in the prosecution of suits by the State.

By the theory of our laws the Auditor is made the general accountant of the State, and in order to be so in fact, he should be in possession, not only of the general condition of any particular fund or class of debtors, but of every particular of each fund, and of every debt and debtor, and of any credit to which each particular debtor is entitled. This principle has been, I think, departed from in the legislation in respect to the land funds, for I know of no law requiring the proper information to be officially placed within reach of the Auditor, to enable him to keep a complete and minute account of these funds, and thus enable him to be, what the general policy of the law intendee—a check upon all other officers. To prevent confusion, steps should be taken to obtain for your office the necessary information, and open therein the proper books to show at all times the precise condition of these funds. The importance of your office being in possession of this information is increased by the fact that the lands are taxable from the date of the entry; and the sheriffs of the various counties can only learn what portions of the lands are taxable from information derived from your office.

Although these lands are taxable from entry, no provision is made to prevent their sale for taxes, in case they should be in arrear. What might be the effect of such sale upon the title of the State, in cases where the whole purchase money can never be collected, may be doubtful. The more prudent course perhaps, would be to provide by law, that no such sale should, in any event, affect the title of the State, or confer any title upon the purchaser as against the State. Such law might delay the State in the collection of the taxes; but after the full payment of the purchase money, the back taxes could still be collected, and the State thus obtain her dues.

The sum of $3,764 58, reported by me to your office on the 15th Feb., 1850, as paid into the Treasury during the year 1849, was paid into the Treasury in good faith by the debtors of the State; and every principle of justice requires that those debtors should not be injured or delayed in their rights in consequence of any omission of duty on the part of any State officer. Some law should be passed giving those persons the full benefit of the payments. Any technical obligation as to the formality of receipts could have little force as against them—though under the decision of your office, of course, the Treasurer or Auditor, in the absence of express legislative authority, would not feel authorized to grant them credit. I allude to this more urgently for the reason that one of those debtors, at least, has paid the whole amount due the State, and is entitled to his deed for his lands, and is deprived of the benefit of the sale of the land and the use of his property; and the same state of things will exist as to the others, so soon as they shall pay the balance due. I am desirous that this matter should be investigated by the present legislature, and justice done in the premises; and to this end, I must beg of you to communicate herewith all the papers and information in your office in respect thereto, to that honorable body.

The compensation (2½ per cent. on the amount collected) now given by law to the State collector of these funds is entirely inadequate. The fees allowed will not more than pay the actual expenses of any one, who will faithfully do all the law requires him to do, which it is necessary for him to do, to collect the fund with any degree of rapidity, and save the State from loss. The compensation originally allowed (5 per cent.) was little enough for the great risk and responsibility incurred in transporting large sums from every portion of the State, and the actual labor performed.

All which is respectfully submitted.

E. CUMMINS, *Land Att'y*
and State Collector, Ark.

LITTLE ROCK, ARKANSAS,
Feb. 12, 1850.

C. C. DANLEY, ESQ., *Auditor*
of Public Accounts of Arkansas:

SIR: I hand you herewith the receipts of SAMUEL ADAMS, late Treasurer of this State, for moneys paid by me into the Treasury on account of the Internal Improvement Fund and Seminary Funds as follows, to wit:

Dated 5th March, 1849,	$ 78 00
" 11th July, "	550 00
" 12th " "	642 02
" 7th Aug. "	97 50
" 17th " "	4 80

On account of the Internal Improvement Fund.

And on account of the Seminary fund:

Dated 7th August, 1849,	$2,392 26

These sums were paid by me, into the Treasury of this State, at the times and in the amounts respectively above mentioned, and upon the debts in each receipt specified, where the name or names of the parties is specified in the receipt; and no part of any of said sums was paid upon any other account or debt; or authorized to be placed to any other credit than those specified in the respective receipts named. (And, as to the receipt for $642 02, the same was paid for and upon the debts hereinafter mentioned, in the amounts specified, and upon no other account, nor was the same, nor any part thereof, ever authorized to be applied to any other credits.)

The said sum of $642 02, was paid into the Treasury as a part of a collection of $1,163 10. The residue of which, $506 65, has recently been paid into the hands of the present Treasurer.

Which sum of $1,163 10, was paid on the following demands in favor of the State, in the followinfi amounts, to wit:

June 29th, 1849,	on the	bond	of	John Mann,	$ 62 00
July 5th,	"	"	"	H. F. Shugart,	42 50
" "	"	"	"	"	42 50
" 7th,	"	"	"	W. B. McCoy,	88 70
" "	"	"	"	John McFadden,	295 80
" "	"	"	"	James Cooksey,	200 00
" "	"	"	"	A. R. Haris,	47 20
" "	"	"	"	"	52 00
" "	"	"	"	Wm. Green,	130 00
" "	"	"	"	Hiram Reynolds,	52 00
" "	"	"	"	Joseph Spear,	26 00
" "	"	"	"	David C. Hall,	42 40
April 18th	"	"	"	Thos. L. Watts,	21 60
May 13th	"	"	"	Benj. H. Holmes,	30 75
" 5th	"	"	"	Nancy M. Barlow,	29 65

All of these last named notes or bonds being for part of 500,000 acre grant.

Your obedient servant,

E. CUMMINS, *Land Attorney and State Collector, Ark.*

LITTLE ROCK, ARKANSAS,
March, 1849.

Received of E. Cummins, Land Att'y., &c.	$80 00
Less commission,	2 00
Total amount specie,	$78 00

On bond of John Logan, dated 7th, 1847 for $400.

SAMUEL ADAMS, *Treasurer.*

TREASURERS OFFICE, *July* 11, 1849.

Received of E. Cummins, Land Att, &c., the sum of $550 00, on account of Richard Pryor's bond to the State for part of 500,000 acre grant.

SAMUEL ADAMS, *Treasurer.*

Paid 20th March, 1849.

July 12, 1849.

Received of E. Cummins, Land Attorney, &c., the sum of $657 45. Less 2½ per cent. commission, $16 43, on account of the 500,000 acre grant.

SAMUEL ADAMS, *Treasurer.*

August, 7, 1849.

E. Cummins, Land Att., &c., has this day paid into the Treasury, the sum of $2,453 60⅓, on ac. bonds of B. F. Richardson, A. H. Sevier, and L. E. Barber, dated 26th August, 1847, less 2½ per cent. com., $61 43, Seminary Lands.

SAMUEL ADAMS, *Treasurer.*

Also, $100 on Nancy Neely's bond, paid 16th July, '49. Less 2½ per cent. commission.

SAMUEL ADAMS, *Treasurer.*

TREASURER'S OFFICE,
Little Rock, *Aug.* 15, 1849.

Received of E. Cummins, on N. Ellington's bond, for 500,000 acre lands, $4 80.

SAMUEL ADAMS, *Treasurer.*

Mr. Nettles was called to the chair.

On motion of Mr. Trapnall it was ordered that 100 copies of the foregoing message and accompaning documents be printed for the use of the House.

Mr. Tebbetts with leave introduced a bill to be entitled an act to exempt Ozark Institute from taxation.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill read a 2nd and 3rd time and passed.

Mr. Speaker resumed the chair.

Senate resolution instructing our Senators and requesting our Representative in Congress to use their exertions to procure the passage of a law appropriating thirty thousand dollars for clearing out the obstruction to the navigation of the Ouachita river, ten thousand dollars of the appropriation to be expended on said river, from Dallasport in the county of Dallas to Clarenden in the county of Ouachita and twenty thousand dollars of said appropriation to be expended between Camden and the line of Louisiana together with the amendments of the House, thereto was taken up.

The amendment of Mr. Baily asking $10,000 for clearing the obstructions out of Saline river, was adopted.

The amendment of Mr. Baker asking $10,000 for clearing out Black river from its mouth to Pocahontas in Randolph county was adopted.

Mr. Sadler moved to amend by inserting $10,000 for clearing out Fourche Lefevre from Pinons Falls to the Scott county line.

Which was adopted.

Mr. Pyburn moved to amend by inserting $16,000 to clear out Cache river.

Which was adopted.

Mr. Miller moved to amend by inserting $500, to build a bridge across Smith creek, in Franklin county.

Which was adopted.

Mr. Lafferty moved to amend by inserting $10,000 for the improvement of Little Red river.

Which was adopted.

Mr. Fletcher moved to amend by inserting $10,000 for the improvement of the navigation of the rivers, Little St. Francis and Pernisco.

Which was adopted.

Mr. Leslie moved to amend by inserting $5,000 for the improvement of the navigation of the Buffalo Fork of White river.

Which was adopted.

Mr. Foreste moved to lay the resolution as amended on the table indefinitely.

Mr. Lafferty called for the ayes and nays, which was sustained and the roll was called.

Those members who voted in the affirmative are,

Messrs. Atkins, Anderson, Armstrong, Ayres, Bailey, Basham, Billingsley, Blakemore, Brewton, Carroll, Coldwell, Cauthron, Denton, Dodson, Dodd, Embry, Farmer, Forester, Gordon, Gilmer, Jackson, Johnson, Leslie, Lafferty, Miller, McIlroy, McRea, Morton, Moore, Patrick, Russell, Singleton, Steward of Crawford, Simpson Trapnall, Tebbetts, Tobey, Walker Witherspoon, Wilson, Yochum and Mr. Speaker—43.

Those members who voted in the negative are,

Messrs. Cline, Eaton, Ferguson, Fletcher, Greene, Hart, Hardin Harris, James, Preston, Pyburn, Rosson, Stewart of Green, Sissel, Sevier, Sadler, Trimble, Tappan, Whittington, and Woodward,—20.

So the resolution with the amendments was laid on the table indefinitely.

Mr. Cline introduced a bill to be entitled "an act to change the terms of the Supreme court."

Which was read a first time.

On motion of Mr. Cline the rules were dispensed with, and the bill was read a 2d time, and referred to the committee on the judiciary.

On motion of Mr. Nettles the House adjourned.

T. B. FLOURNOY, Speaker.

FRIDAY, Dec. 6th, 1850.

The House met pursuant adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Witherspoon presented the petition of sundry citizens of Jackson county praying that the privilege of keeping a ferry across Cache river may be granted to Charlotte Pierce, free from the payment of any license therefor to the county of Jackson, which

On motion of Mr. Witherspoon was referred to a select committee consisting of Messrs. Witherspoon, Hart and Gilmer.

Mr. Trimble presented the petition of Charles D. Cook, Esq., praying for the passage of an act making an appropriation for balance of salary due him as Financial Receiver at Batesville, Arkansas, which

On motion of Mr. Trimble was referred to the committee on banks.

Mr. Witherspoon presented the petition of sundry citizens of Jackson county praying the Legislature for an extension of time in the payment of bonds which they had given for lands in Byrd township, which

On motion of Mr. Witherspoon was referred to a select committee consisting of Messrs. Witherspoon, McRea, Stuart of Green, Preston and Carroll.

Mr. Carroll presented the petition of J. R. Bettison of Louisville, asking the General Assembly to make an appropriation for the payment of a certain judgment rendered in his favor in the Pulaski circuit court against the State, on the 16th of June A. D. 1847, with costs &c., which

On motion of Mr. Carroll was referred to the committee on propositions and grievances.

Mr. Tobey presented the petition of J. W. Comstock and other citizens of Conway county praying to be stricken off from Conway county and attached to Pope county, which

On motion of Mr. Tobey was referred to the committee on counties and county lines.

On motion of Mr. Sadler the petition of Dardanelle township Ppoe county, was referred to the committee on counties and county lines.

Reports from standing committees were in order.

Mr. Woodward from the committee on memorials to whom was referred a resolution instructing the committee to enquire into the expediency of memorializing Congress on the subject of the erection of a Hospital at Hot Springs in this State, reported to the House a memorial to the Congress of the United States recommending the erection at Hot Springs of a great National Hospital.

Which report was adopted.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The committee on Internal Improvement to whom was referred Senate bill No. 25, to be entitled an act to more fully define the 5th section of the 97th chapter of Digest of the Statutes of Arkansas, have had the same under consideration and are of opinion that the law as it now exists is all that is desirable upon the subject, and therefore recommend the rejection of the bill.

TEBBETTS, Ch'n.

Which report was adopted and the bill rejected.

Mr. Coldwell from the committee on the judiciary to whom was referred House bill to be entitled an act to modify and amend section 103 of chapter 4, of the Digest of Arkansas, reported the same back to the House and recommended its passage.

On motion of Mr. Coldwell the rules were dispensed with and the bill was read a third time and passed.

Mr. Watson made the following

REPORT:

Mr. Speaker:

The committee on ways and means to whom was recommitted House bill to be entitled an act to make certain appropriations, have had the same under consideration and having examined the account of Wm. E. Woodruff for printing the Governor's Message, &c., and compared it with the contract entered into by the committee on public printing at the last session of the General Assembly, have instructed me to report the accompanying substitute for the payment of said account and recommend its passage.

WATSON, Ch'n.

Which substitute was adopted and read a first time.

Mr. Witherspoon from the committee on elections to whom was referred House bill No. 29, to be entitled an act to change the time of holding the election of Judges of the Circuit, Probate and County courts, and board of Internal Improvement, reported the same back to the House and recommended its rejection.

On motion of Mr. Trapnall the bill was laid on the table for the present.

Mr. Watson from the committee on ways and means to whom was referred House bill No. 86, to be entitled an act to make certain appropriations for the year 1851, 1852, and part of the year 1850, reported back the substitute entitled as above and recommended its adoption.

Whereupon the substitute was adopted and read a first time,

On motion of Mr. Watson the rules were suspended, the bill read a second and third time and passed.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed House bill No 55, to be entitled an act to amend the 117th chapter of the Digest under the caption of Patrols.

Also bill No. 58, to be entitled an act to provide for the payment of costs accruing in the prosecution of certain suits by the State.

Also bill 61, to be entitled an act for the relief of Sutton F. Cottrell, sheriff and collector of revenue for the county of Crawford, and

Also bill No. 62, to be entitled an act to repeal 6th section of the 44th chapter of the Revised Statutes of the State of Arkansas giving circuit courts jurisdiction of assault and battery cases.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have assented to House bill No. 91, to be entitled an act to change the line between the counties of Prairie and Monroe.

Also to House bill No. 121, to be entitled an act to refund to James H May, sheriff of Montgomery county, certain penalties.

All of which are herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

Mr Watson from the committee on ways and means to whom was referred House bill 125, to be entitled an act to extend the time of paying the State revenue by the sheriffs of this State, reported the same back to the House and recommended its passage.

On motion of Mr Coldwell the rules were dispensed with and the bill read a 3d time and passed.

The following message from the Senate was received by the secretary:

Mr. Speaker,

I am instructed to present for your Honor's signature an act to establish the county of Calhoun.

Also an act to change in part the time of holding the Circuit courts in the 6th judicial circuit.

JOHN M. ROSS.
Sec'y of Senate.

Mr Watson from the committee on ways and means to whom was referred the memorial of R T Jennings, reported the same back to the House, and moved to refer it to the committee on Propositions and Grievances.

Which motion prevailed and the bill referred to the committee on propositions and grievances.

Mr Tappan from the committee on enrollments made the following

REPORT:

Mr Speaker,

The committee on enrollments have examined an act to amend an act for the benefit of Thomas Maddin, as administrator of James Maddin, deceased, late of Pope county.

Also an act to amend 8th chapter of the digest of the statutes under the title of guardians and wards.

Also an act to amend 94th section of chapter 95 of the digest of the statutes of this State.

Also an act for the relief of John Cecil late sheriff of Newton county.

Also the following amendments to the Constitution of the State of Arkansas, viz: That the words "except Washington county, which may be reduced to six hundred square miles," included in brackets in 29th article, be stricken out of said constitution, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr Watson from the committee on ways and means, to whom was referred House bill No. 25, to be entitled an act to change the time of settlement of collectors and respecting of oath to schedule of taxable property, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Watson from the committee on ways and means to whom was referred House bill No. 104, to be entitled an act in relation to county tax on lands forfeited to the State and sold by the Auditor or redeemed at the State treasury, report the same back to the House without amendment and recommended its passage,

On motion of Mr. Watson the rules were dispensed with and the bill read a 3d time and passed.

Mr Watson from the committee on ways and means to whom was referred Senate bill No 11, to be entitled an act to aid sheriffs in assessing and collecting taxes, and to allow additional fees, reported the same back to the House with an amendment and recommended its passage.

The question arose upon the amendment proposed by the committee, viz: to strike out all of the 5th and 6th sections.

Which was adopted.

Mr Denton proposed to amend by striking out the title of the bill and inserting an act allowing sheriffs additional compensation.

Which was adopted.

Mr. Trimble moved to amend by inserting the words "10th" day of January, 1851, in the 10th line of the 6th section.

Mr. Nettles moved to amend the amendment by inserting "to take effect and be in force from and after 1st January, 1852.

Mr Miller moved to lay the bill and the amendments not yet adopted on the table indefinitely, which was superseded by a motion of Mr Sissel to lay the bill as amended on the table indefinitely.

Mr Sadler called for the ayes and noes which was sustained, and the roll was called.

Those members who voted in the affirmative, are

Messrs Armstrong, Baker, Blakemore, Bradley, Carroll, Coldwell, Chandler, Cline, Eaton, Ferguson Farmer, Hart, Hardin, Imboden, McRae, Preston, Singleton, Sissel, Sevier, Trimble, Tappan, Trapnall, Woodward and Watson—24.

Those members who voted in the negative, are

Messrs Adams, Atkins, Anderson, Ayers, Bailey, Basham, Billingsley, Brewton, Cauthron, Denton, Dodson, Dodd, Emerson, Embry, Foreste, Fletcher, Gordon, Gilmer, Harris, Jackson James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Moore, Steward of Crawford, Stuart of Green, Simpson, Sadler, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Wilson, Yochum and Mr Speaker—47.

So the bill was not laid upon the table.

Mr. Atkins moved to lay the amendments not yet adopted on the table indefinitely.

Which motion prevailed.

Mr Farmer moved to amend by adding that those sheriffs who have already settled with the treasurer of the State for this year be entitled to the benefits of this act.

Which was adopted.

Mr Stuart of Green moved a reconsideration of the vote rejecting the amendments.

Which was lost.

Mr. Foreste moved a suspension of the rules so that the bill might be read a third time.

Which was lost.

Mr Chandler moved to amend by inserting the following:

That the agent of any sheriff who brings the State revenue to the seat of government be allowed to prove his mileage in the same manner the sheriff is by this law.

Which was adopted.

Mr. Sevier moved an adjournment.

Which was lost.

Mr. Coldwell moved an adjournment.

Which was lost.

On motion of Mr. Tebbetts the bill was ordered to be engrossed for a third reading to-morrow.

On motion of Mr. Patrick the House adjourned.

T. B. Flournoy, S. H. R.

Saturday, Dec. 7, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

Journal of yesterday was read and approved.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr Tappan made the following

REPORT:

Mr Speaker:

The committee on enrollments have examined an act to change the lines between the counties of Prairie and Monroe.

Also an act to refund to James H. May, sheriff of Montgomery county certain penalties paid by him, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Mr Coldwell made the following

REPORT:

Mr. Speaker,

The committee on education have had under consideration House bill to be entitled an act to incorporate the Soulesburry College at Batesville, and have instructed me to report it back to the House without alteration or amendment, and recommend its passage.

Coldwell, Chairman.

On motion of Mr Baker the rules were dispensed with and the bill read a third time and passed.

Reports from select committees were in order.

Mr Emmerson from the select committee to whom had been referred House bill No. 99 to be entitled an act to incorporate the town of Rockport, reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Emerson the rules were dispensed with and the bill read a third time and passed.

Motions and Resolutions were in order.

Mr. Farmer in accordance with previous notice introduced a bill to be entitled an act for the benefit of Anthony Smith.

Which was read a first time and ordered to a second reading on Monday next.

Mr. Sissel introduced a bill to be entitled an act amendatory of an act entitled an act to incorporate the town of Washington.

Which was read a first time.

On motion of Mr. Sissel the rules were dispensed with and the bill read a second time and referred to a select committee consisting of Messrs. Sissel, Watson, and Cline.

Mr. Sissel introduced a bill to be entitled an act to repeal the 3rd section of an act approved 3d March, 1838, entitled an act appointing trustees for the town of Washington.

Which was read a first time and ordered to a second reading on Monday next.

Mr. Dodd introduced a bill to be entitled an act to provide for the sale of the salt springs and the lands thereto attached and appropriate the proceeds thereof in support of common schools.

Which was read a first time.

On motion of Mr Dodd the rules were dispensed with and the bill was read a second time and referred to the committee on education.

Mr Eaton introduced a bill to be entitled an act to change the mode of assessing taxes and for other purposes.

Which was read a first time.

On motion of Mr Eaton the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

Mr Armstrong gave notice that on Monday next he would ask leave to introduce a bill to change the time of holding the spring and fall terms of the county court in the county of Ouachita.

Mr Fletcher introduced a bill to be entitled an act to create the office of enrolling clerk to the House of Representatives.

Which was read a first time.

On motion of Mr Fletcher the rules were dispensed with, the bill was read a second time and referred to the committee on ways and means.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 105 to be entitled an act to change the time of holding the circuit courts of Prairie county.

The Senate have concurred in joint resolution of the House instructing the joint committee on banks to enquire into and report upon the matter contained in the report of the Financial receiver of 3d inst.

All of which are herewith returned.

JOHN M. ROSS.
Sec'y of Senate.

Mr Fletcher introduced a bill to be entitled an act to provide for reclaiming the swamp and overflowed lands donated to this State by the United States.

Which was read a first time.

On motion of Mr. Fletcher the rules were dispensed with and the bill was read a second time and referred to the select committee on 'levies and drains'.

Mr Russell introduced a bill to be entitled an act to incorporate the Odd Fellow's Hall association of Fort Smith Arkansas.

Which was read a first time.

On motion of Mr Russell the rules were dispensed with and the bill read a second time and referred to a select committee, consisting of

Messrs. Russell, Moore, and Sissell.

Mr Lafferty introduced a memorial asking Congress to donate to the State of Arkansas all that portion of the public land in the State which has been in market for ten years and yet remains unsold.

Which was read a first time and ordered to a second reading on Monday next.

Mr Baker gave notice that he would on Monday or soon thereafter introduce a bill for the relief of William A Doe of Independence county, for expenses incurred in capturing the negro boy Charles indicted for the murder of A R Graham.

Mr Woodward introduced a bill to be entitled an act to incorporate a Ouachita and Red river Plank road Company.

Which was read a first time.

On motion of Mr. Woodward the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of

Messrs. Woodward, Trapnall and Sevier.

Mr Sevier introduced a bill to be entitled an act to incorporate the town of Lewisville in Lafayette county.

On motion of Mr Sevier the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of

Messrs Sevier, Woodward, and Trapnall.

On motion of Mr. Eaton, Senate bill No. 46 to be entitled an act to pay certain militia called into service by Gen. Allen Wood under instructions of the Governor of the State to restore the supremacy of the law and to suppress insurrectionary movements in Marion county in the months of September, October, November and December, 1849, was taken up and read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a second time and referred to the committee on the militia.

Senate bill No. 11 to be entitled an act allowing sheriffs additional compensation, was taken up and read a third time.

Mr Dodd called for the ayes and noes on the passage of the bill, which was sustained and the roll was called.

Those members who voted in the affirmative are.

Messrs. Adams, Atkins, Anderson, Ayers, Bailey, Bassham, Billingsley, Brewton, Cauthron, Denton, Dodson, Emerson, Foreste, Fletcher, Gordon, Gilmer, Harris, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McRae, Morton, Moore, Nettles, Patrick, Rossin, Singleton, Steward of Crawford, Sadler, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Wilson, Yocum and Mr. Speaker—43.

Those members who voted in the negative are,

Messrs Armstrong, Baker, Blakemore, Bradley, Carroll, Coldwell, Chandler, Cline, Dodd, Eaton, Embry, Ferguson, Farmer, Hart, Hardin, Imboden, McRae, Preston, Pyburn, Sissell, Simpson, Trimble, Trapnall, Woodward, and Watson—25.

So the bill was passed.

The substitute of the House for Senate bill No. 15, to be entitled an act exempting county courts from selecting petit jurors, was taken up and read a second time.

Mr Carroll offered the following amendment, viz:

Strike out the figures '13' in the first section and add the following section:

SEC. 2. *Be it further enacted*, That each juror hereafter serving on a petit jury in any case, either civil or criminal, shall receive for his services the sum of one dollar for each day he may serve, to be paid out of the county treasury.

Mr Sevier was called to the chair.

Mr Fletcher moved to lay the bill and amendments on the table indefinitely.

Mr Nettles called for the ayes and noes upon the motion, which was sustained, and the roll was called.

Those members who voted in the affirmative are,

Messrs. Armstrong, Bradley, Eaton, Embry, Ferguson, Foreste, Fletcher, Johnson, McRay, Patrick, Preston, Pyburn, Sissell, Sevier, Tappan, and Woodward—16.

Those members who voted in the negative are,

Messrs Adams, Atkins, Anderson, Ayers, Bailey, Baker, Bassham, Billingsley, Blakemore, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Farmer, Gordon, Gilmer, Hart, Hardin, Harris, Imboden, Jackson, James, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Moore, Nettles, Russell, Rosson, Singleton, Steward of Crawford, Stewart of Green, Simpson, Sadler, Trimble, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Wilson, Yochum, and Mr. Speaker—52.

So the bill was not laid on the table.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 139 to be entitled an act making certain appropriations for the years 1851 and 1852 and part of the year 1850.

Which is herewith returned.

JOHN M. ROSS, Secretary of Senate.

On motion of Mr. Cline leave of absence was granted to Mr. Trapnall.

Mr. Woodward moved to recommit the bill to be entitled an act exempting county courts from selecting petit jurors, and others, which were of a similar character, on the clerks table, to the committee on the judiciary.

Which was lost.

On motion of Mr Miller the House adjourned.

T. B. FLOURNOY, *Speaker.*

MONDAY, DEC. 9, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Woodward introduced a bill to be entitled an act to declare Cypress creek in Desha county navigable.

Which was read a first time.

On motion of Mr Woodward the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Reports from standing committees were in order.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No. 56 to be entitled an act to amend the law under the head of limitation, reported the same back to the House with an amendment and recommended its passage.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill to be entitled an act to prohibit persons from quartering slaves on plantations or other places without overseers, reported back to the House a substitute therefor entitled as the bill and recommended its adoption.

Which report was adopted and the substitute read a first time.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 129 to be entitled an act to change the terms of the Supreme court, reported the same back to the House and recommended its passage.

On motion of Mr Cline the rules were dispensed with and the bill was read a third time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred House bill No. 137 to be entitled an act to change the mode of assessing taxes, reported the same back to the House and recommended its passage, and recommended that 100 copies be printed, and it be recommitted to a committee of the whole, to be considered on Wednesday week.

Which report was adopted.

Mr. Tappan made the following

REPORT:

Mr. Speaker,

The committee on enrollments have examined an act to change the time of holding the circuit court of Prairie county.

Also an act to make certain appropriations for the years 1851, 1852 and part of 1850, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Mr. Sissel from a select committee to whom was referred House bill 134 to be entitled an act amendatory of an act to incorporate the town of Washington, reported the same back to the House and recommended its passage.

On motion of Mr Sissel the rules were dispensed with and the bill was read a third time and passed.

Motions and resolutions were in order.

The following message was received from the Governor:

Executive Office,
Little Rock, Dec. 9th, 1850.

Hon. T. B. Flournoy, *Speaker*
of the House of Representatives:

I herewith transmit the accompanying communications received at this Office, from the Commissioner of the General Land Office, in connection with the subject of the Swamp and Overflowed Lands granted to the State of Arkansas; that they may receive such attention by the House, over which you have the honor to preside, as the importance of the subject may demand.

I have the honor to be,
with respect,
your ob't servant.
JOHN SELDEN ROANE.

General Land Office,
Nov. 21, 1850.

Sir: I have the honor to enclose you a copy of the instructions this day sent to the Surveyor General of your State, for the selection of the Swamp and Overflowed Lands to which the State will be entitled by the act of 28th September, 1850.

You will perceive that, by those instructions, the Surveyor General is authorized to receive such reliable evidence of the character of any of these lands, as may be presented by the authorities of the State, and as many of the lands were probably surveyed at dry seasons, and hence are not represented by the descriptive notes or plats, as being of that character, I have supposed that it may be a matter of sufficient importance to induce you to call upon the county surveyors or other respectable persons of your State, for a statement, under oath, of the Swamp or Overflowed Lands in their respective counties.

Such testimony, you perceive, will be regarded as establishing the facts of the case; and on receipt of the reports of the Surveyor General, lists of the lands will be prepared as required by the act, submitted for the approval of the Secretary of the Interior, and plats and patents for the lands thus approved, will at once be prepared and forwarded to you.

With great respect, your ob't serv't,
J. BUTTERFIELD,
Commissioner.

His Ex., The Governor of Arkansas,
Little Rock, Arkansas.

GENERAL LAND OFFICE,
November 21, 1850.

Sir: By the act of Congress entitled an act to enable the State of Arkansas and other States, to reclaim the Swamp lands within their limits, approved September 28, 1850, it is directed 'That to enable the State of Arkansas, to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made thereby unfit for cultivation, which shall remain unsold at the passage of this act shall be and the same are hereby granted to said State.'

1st. By the 4th section of this act, it is directed, that the provisions of it shall be extended to and their benefits be conferred upon each of the other States of the Union, in which such swamp and overflowed lands may be situated.

2d. And 'that in making out a list and plats of the lands aforesaid, all legal sub-divisions, the greater part of which is 'wet and unfit for cultivation' shall be included in said list and plats; but when the greater part of a sub-division is not of that character, the whole of it shall be excluded therefrom.'

This act clearly and unequivocally grants to the several States, those lands which from being swampy or subject to overflow, are unfit for cultivation; In this class is included also all lands which, though dry part of the year, are subject to inundation at the planting, growing or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation taking the average of the seasons, for a reasonable number of years as the rule of determination.

You will please make out a list of all lands thus granted to the State, designating those which have been sold or otherwise disposed of since the passage of the law and the price paid for them when purchased.

The only reliable data in your possession from which these lists can be made out, are the field notes of the surveys on file in your office; and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence, that any lands are of the character embraced by the grant, you will so report them.

The following general principles will govern you, in making up these lists, to wit:

Where the field notes are the basis and the intersections of the lines of swamp or overflow with those of the public surveys alone are given, those intersections may be connected by straight lines, and all legal sub-divisions the greater part of which are shown by these lines to be within the swamp or overflow will be certified to the State, the balance will remain the property of the Government.

Where the State authorities may conclude to have the surveys made to determine the boundaries of the swamp or overflowed lands, those boundaries alone should be surveyed, taking connections with the nearest section or township corners; or

Where the swamp or overflowed lands are on the borders of a stream or lake, the stream or lake could be meandered and ordinates surveyed at suitable intervals, from the borders of the stream or lake to the margin of the swamp or overflowed lands, and by connecting the ends of those ordinates, next to that margin by straight lines, the boundaries of the swamp or overflowed lands can be ascertained with sufficient accuracy. In no case, however, should any such boundaries or ordinates be marked in the field, as they may produce difficulty in determining the lines and corners of the public surveys hereafter, and thus lead to litigation. The selections in all these cases will be made as before directed. Where satisfactory evidence is produced that the whole of a township, or of any particular and specified part of a township, or the whole of a tract of country bounded by specified surveyed or natural boundaries, is of the character embraced by the grant, you will so report it. The adjacent sub-divisions however to be subject to the regulations above given; and in every case under such rule or principle herein prescribed, forty acre lots or quarter quarter sections will be regarded as the legal sub-divisions contemplated by law.

The affidavits of the county surveyors, and other respectable persons, that they understand and have examined the lines, and that the lands bounded by lines thus examined and particularly designated in the affidavit, are of the character embraced by the law, should be sufficient.

The line or boundary of the overflow, that renders the land unfit for regular cultivation, may be adopted as that which regulates the grant.

You will make out lists of these lands as early as practicable, according to the following form, one copy of which you will transmit to the land officers and another to this office. The lands selected should be reserved from sale, and after those selections are approved by the Secretary of the Interior, the Register should enter all the lands so selected in his tract book as "granted to the State by act of 28th September, 1850, being swamp or overflowed lands" and on the plats enter on each tract "State act 28th September, 1850." Copies of the approved lists will be sent to the Registers for this purpose.

Your early attention is requested in this matter that the grant may be disposed of as speedily as possible.

Very respectfully, your ob't serv't,
(Signed,) J. BUTTERFIELD,
Commissioner.

L. Gibson, Esq., *Sur. Gen.*
Little Rock, Ark.

Part of Section	Section.	Township.	Range.	Remarks.

The following communication was received from the Governor by his private Secretary, *M.* L. Bell, Esq.,

EXECUTIVE OFFICE.
Little Rock, Arks.
Dec. 9*th*, 1850.

Hon. T. B. Flournoy,
Speaker of the House of Representatives:

I herewith transmit for the consideration of the House over which you have the honor to preside the memorial of John A Ragan a citizen of Lousiana, proposing to reclaim the swamp and overflowed lands granted to the State of Arkansas and ask for the memorial that consideration which its character and importance may demand.

I am, with respect,
your ob't servant,
JOHN SELDEN ROANE.

The following message was received from the Governor by *M* L Bell, Esq., the private secretary:

Mr. Speaker—

I am instructed to report to your honorble body that the Governor has approved and signed an act for the relief of John Cecil late sheriff of Newton county.

Also an act to amend the 80th chapter of the digest of the statutes under the head of guardians and wards.

Also an act to amend the 94th sec. of 95th chapter of the digest of the statutes of this State.

Also an act to amend an act entitled an act for the benefit of Thos *M*addin, administrattor of James Maddin, dec'd.

Also an act to refund to Jas H May, sheriff of Montgomery county, certain penalties paid by him.

Also an act to change the lines between the counties of Prairie and Monroe.

M. L. BELL,
Private Sec'ry.

Mr Singleton with leave introduced a bill to be entitled an act for the relief of Joseph B Threadgill, sheriff of Chicot county.

Which was read a first time.

On motion of Mr. Singleton the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr Trapnall was called to the chair.

On motion of Mr Cline the message from the Governor concerning the swamp and overflowed lands and the documents therewith accompanying were referred to the select committee on "*levies and drains.*"

On motion of Mr. Fletcher 500 copies thereof were ordered to be printed.

Mr Fletcher offered the following resolution:

Resolved, That the Governor be respectfully requested to transmit to this House copies of all orders and instructions issued by him to Adjutant General Wood, in respect to the late disturbances in Marion county.

Also copies of all reports made to the Governor by the commander of the forces embodied to suppress an armed resistance to the laws in that county.

Also copies of all official correspondence by and between the Governor and other persons having relation to such disturbances.

Which was adopted.

Mr Patrick offered the following joint resolution:

Resolved, By the General Assembly of the State of Arkansas,

That our Senators in Congress be instructed and our Representative be requested to exert their influence with the Congress of the United States to procure the establishment of a daily mail route, in post coaches or on led horses from Little Rock in this State via the mouth of Cache, Oakland, St. Francis and Marion to Memphis.

Which was read a first time

On motion of Mr Patrick the rules were dispensed with and the resolution was read a 2d and 3d time and adopted.

Mr Foreste offered the following resolution:

Resolved, That all bills and resolutions now before this House shall be taken up in order, and that no bill or resolution shall be called up out of order.

Which was not adopted.

Mr Woodward gave notice that he would on to-morrow ask leave to introduce a bill to authorize the burning of useless papers which may be on file in the different clerk's offices of this State.

The following message from the Senate was received by the Secretary.

Mr Speaker,

I am instructed to inform your honorable body that the Senate have not assented to House bill No 125, to be entitled an act to extend the time of payment of the State revenue by the sheriffs of this State.

The Senate have passed a bill to be entitled an act to legalize the sale of 16th section in township 16, north range 26 west in Madison county.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have adopted a joint resolution instructing our Senators and requesting our Representative in Congress to procure a change of the mail route, so as to pass through Arkadelphia instead of Raymond.

Which is herewith transmitted for the concurrence of your honorable body.

The Senate have assented to House bill No 101, to be entiled an act for the relief of James M Pearce, sheriff of Van Buren county.

Also to House bill No 105, to be entitled an act for the relief of the Sheriff of Scott county.

Also to House bill No 4, to be entitled an act to grant a charter to Thomas S Woodward to turnpike the Ouachita swamp opposite Camden, and to keep a ferry across the Ouachita river, with two amendments thereto in which your honorable body is asked to concur.

All of which are herewith returned.

JOHN M. ROSS,
Sec'y of the Senate.

Mr Woodward introduced a bill to be entitled an act to amend an act to amend chapter 140 of revised statutes under the title of roads and highways.

Which was read a first time.

On motion of Mr. Wilson the rules were dispensed with and the bill was read a 2d time and referred to the committee on internal improvements.

Mr. Harris gave notice that on Thursday next or some day thereafter, he would ask leave to introduce a bill prohibiting betting in all elections on this State.

Mr. Speaker resumed the chair.

Mr Watson gave notice that he would on some future day ask leave to introduce a bill to incorporate the town of Eldorado in the county of Union.

Mr Armstrong introduced a bill to be entitled an act to change the time of holding the spring and fall terms of the county court of Ouachita county.

Which was read a first time.

On motion of Mr. Armstrong the rules were dispensed with and the bill was read a 2d and 3d time and passed.

*M*r Foreste offered the following resolution:

Resolved, That the special orders of the day shall be taken up at the hour of ten o'clock after this day.

Which was not adopted.

On motion of *M*r Tebbetts, Senate bill No 50, to be entitled an act to amend in part the 140th chapter of the digest of the statutes of Arkansas under the head of roads and highways, was taken up and read a first time.

On motion of Mr. Wilson the rules were suspended and the bill was read a 2d time and referred to the committee on internal improvement.

Mr. Speaker laid before the House the following communication from the secretaty of State:

Office of the Secretary of State,
Little Rock, *9th Dec.* 1850.

Sir—By a law of the last Legislature it was made the duty of the Secretary of State to take possession of the rooms in the State House occupied by the clerk of the U S court, and by the U S marshal and have them fitted up for the use of the General Assembly as committee rooms.

I deem it my duty, through you, to inform the General Assembly that these officers refuse to surrender possession of that portion of the State House occupied by them.

Very respectfully,
DAVID B. GREER,
Sec'ry of State.

Hon. T. B. Flournoy,
Speaker of the House of Representatives:

The above communication was, on motion of *M*r Carroll, referred to the committee on the judiciary.

On motion of Mr. Trapnall House bill No 4, to be entitled an act to grant a charter to Thomas S Woodward to turnpike the Ouachita Swamp opposite to Camden, and to keep a ferry across the Ouachita river as amended by the Senate was taken up and the amendments of the Senate concurred in.

*M*r Miller gave notice that he would on Saturday next ask leave to introduce a bill to be entitled an act to encourage emmigration to the State of Arkansas.

On motion of *M*r Harris the amendments proposed to the constitution, relative to the establishment of a new county out of a portions of Poinsett and Green, were taken up and read a second time and referred to the committee on the judiciary.

The House bill to be entitled an act for the relief of John W Fullerton, sheriff of Hot Spring county, and the substitute of the Senate therefor, were taken up and the substitute was adopted and read a first time.

On motion of *M*r Emerson the rules were dispensed with and the bill was read a 2d and 3d time and passed.

The substitute of the House for Senate bill No 15, to be entitled an act exempting county courts from selecting petit juors, was taken up.

Mr. James moved to amend by striking out all after the enacting clause and inserting the following: that from and after the passage of this act, no county court in this State shall, unless such court deem it necessary and expedient to promote the ends of public justice, summon eighteen petit jurors as now required by law.

Sec. 2. *Be it further enacted*, That in the event that the county court of any county in this State shall not summon said petit jurors as now required by law, said jurors shall be summoned by the sheriffs as in ordinary cases.

Sec. 3. *Be it further enacted*, That this act take effect from and after its passage.

Mr Tebbetts moved to amend the amendment by adding the following to the 2d section, in which case the law in relation to the mode of selecting petit jurors passed at the session of 1846–7, shall not apply.

Which was adopted.

Mr Miller offered an amendment, which was rejected.

The amendment as amended was then adopted.

Mr Stuart of Green moved an adjournment.

Which was lost.

On motion of Mr Whittington the rules were dispensed with that the bill might be read a 3d time.

On motion of *M*r Tebbetts the vote dispensing with the rules was reconsidered, and on his motion the bill was recommitted to the committee on the judiciary.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Little Rock, Dec. 9th, 1850.

Hon. T. B. Flournoy, *Speaker of the House of Representatives.*

In response to a resolution passed by the House over which you have the honor to preside, I would respectfully ask leave to state, that at an early day of the present session of the Legislature, a resolution was introduced into the Senate, requesting all the information, then in the Executive office, upon the subject of the difficulties in *M*arion county, to be transmitted to that House. On learning that this information was desired by the Senate, I immediately transmitted to that honorable body a copy of my order to General Wood, under which he acted, together with all the original papers then in my office touching this subject.—Those papers have never been returned to this office, and are beyond my control.

I am therefore compelled to state that there are at this time no papers touching this subject in my office, except my order to Gen'l Allen Wood a copy of which is herewith transmitted.

I am, with respect,
Your obedient servant,
JOHN SELDEN ROANE.

Mr. Fletcher introduced the following resolution:

Resolved, That the Senate be requested to transmit to this House the special message of the Governor in reference to the Marion county disturbances with all the accompanying documents.

Which was adopted.

M. L. Bell, Esq., appeared in the Hall and delivered the following communication from the Governor.

Mr. Speaker:

I am instructed to report to your honorable body that the Governor has approved and signed an act to make certain appropriations for the years 1851 and 1852, and part of 1850.

M. L. BELL,
Private Secretary.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have reconsidered and passed House bill No. 125, to be entitled an act to extend the time of payment of the State revenue by the sheriffs in this State.

Which is herewith returned.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Speaker laid before the House certain accounts for materials furnished and work done in repairing and fitting up the Hall; which were

On motion of Mr. Preston, referred to a select committee consisting of Messrs. Preston, Witherspoon and Hart.

On motion of Mr. Brewton leave of absence was granted to Mr. Tobey.

On motion of Mr. Fletcher the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

TUESDAY, DEC. 10th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Emerson presented the petition of Henry Cornelies school commissioner in Hot Spring county asking the legislature to direct the State Treasurer to pay over a certain amount of the school fund, which, from some cause has not been advanced.

Which, on motion of Mr. Emerson was referred to the committee on propositions and grievances.

Reports from standing commitees were in order.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to extend the time of payment of the State revenue by the sheriffs of this State and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which was adopted.

Mr. Fletcher made the following

REPORT:

Mr. Speaker:

The committee on ways and means to whom was referred the bill to be entitled an act making certain appropriations have had the same under advisement, and have directed me to report a substitute, it being the first section of the bill and to recommend its passage, and to move that the second section involving the question whether the Governor shall appoint counsel in addition to the Attorney General to defend the suit now pending in the circuit court of Pulaski county on the chancery side thereof of Lytle and Wife *et al.* vs. the State of Arkansas be referred to the committee on the judiciary.

Which is respectfully submitted.

FLETCHER, Ch'n.

Which report was read and adopted, and

The substitute was read a first time.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a second and third time and passed.

Mr. Speaker laid before the House a petition from Philip Agee asking the legislature to grant William T. Wall a charter to turnpike Freeo Bottom.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The committee on Internal Improvement to whom was referred House bill No. 93, to be entitled an act to amend an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvements, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House and recommend its passage.

TEBBETTS, Ch'n.

On motion of Mr. Preston the report and bill were laid on the table for the present.

Mr. Carroll from the committee on apportionments to whom was referred House bill No. 77, to be entitled an act to reduce the members of the legislature, reported the same back to the House unfavorably.

On motion of Mr. Trapnall the bill and report were laid on the table for the present.

Reports from select committees were in order.

Mr. Russell made the following

REPORT:

Mr. Speaker,

The select committee to whom was referred House bill No. 140, to be entitled an act to incorporate the Odd Fellows' Hall Association of Fort Smith, Arkansas, have had the same under consideration and have directed me to report the same back to the House and recommend it passage.

RUSSELL, Ch'n.

Which report was adopted, and

On motion of Mr. Russell the rules were dispensed with and the bill was read a third time and passed.

Mr. Coldwell was called to the Chair.

Mr. Sevier from the select committee to whom was referred House bill No. 142, to be entitled an act to incorporate the town of Lewisville, reported the same back to the House with an amendment, and recommended its passage.

The amendment was adopted, and

On motion of Mr. Sevier the rules were dispensed with and the bill as amended was read a third time and passed.

Motions and resolutions were in order.

Mr. Sevier introduced the following resolution.

Resolved by the General Assembly of the State of Arkansas, That a select committee of three on the part of the House be appointed to act in conjunction with such committee as may be appointed on the part of the Senate whose duty it shall be to inquire into, and report without delay, whether there be any defaulter or defaulters, holder or holders of public money, in either House of the General Assembly, and if so, to state in their report the name of each member of each House who is a defaulter or holder of public money and the amountnt retained by each and whether such defaulter or defaulters, holder or holders of public money, can without violation of the constitution and laws remain as a member of the General Assembly of the State of Arkansas.

Which was read a first time and ordered to a second reading on to-morrow.

The following communication from the Governor was received by the hands of his private secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Governor has approved and signed an act to extend the time of payment of the State revenue by the sheriffs of this State.

Also an act to change the time of holding the circuit courts of Prairie county.

M. L. BELL,
Private Sec'y.

Mr. Eaton introduced the following joint resolution.

Resolved, That our Senators be instructed and our Representative be requested to use their exertions in Congress so to amend the compact between the United States and Arkansas so as to enable this State to reduce the price of all lands belonging to the State and that the Senate be requested to concur herein.

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Woodward introduced a bill to be entitled an act to authorize the several county courts of this State to order the burning of all useless papers after being on file for the space of two years in the clerks office.

Which was read a first time.

On motion of Mr. Woodward the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. Woodward, Patrick and Blakemore.

On motion of Mr. Tebbetts the orders of the day were taken up.

Senate bill No. 19, to be entitled an act to reduce the price of the 16th sections in Randolph and Green counties in certain cases, was taken up and read.

On motion of Mr. Whittington Senate bill No. 42, to be entitled an act to authorize the sale of the 16th sections for less than $2 00 per acre in certain cases, was taken up and read a first time.

On motion of Mr. Cline the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. Cline Lafferty and Stuart of Green.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendments of the House to Senate bill No. 11, to be entitled an act to aid sheriffs in assessing and collecting taxes and to allow additional fees.

The Senate have assented to House bill No. 89 to be entitled an act for the relief of John Chandler late sheriff of Randolph county, with amendment thereto, in which your honorable body is respectfully asked to concur.

Which is herewith returned.

The Senate have passed a bill to be entitled an act to authorize the judges of the probate court in different counties to issue writs of election in certain cases.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have adopted a joint resolution rescinding so much of the resolution adopted in 1848 as makes it the duty of the Secretary of State to demand and take possession of the west wing of the capitol now occupied by the Clerk of the District court of the United States.

Also a joint resolution instructing our Senators in Congress to favor any legitimate action of the Federal government which has for its object the acquisition of the Island of Cuba by the United States; and also preamble and joint resolution authorising and requesting the Governor to appoint some competent person to represent the State of Arkansas in the World's convention to be held in London, England, in June next.

All of which are herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I have the honor to present for your honor's signature the act allowing sheriff's additional compensation.

J. M. ROSS,
Sec'y of Senate.

Senate bill No. 61 to be entitled an act for the relief of Sutton F. Cottrell, sheriff and collector of revenue for the county of Crawford, was taken up and read a first time.

On motion of Mr. Morton the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of

Messrs. Morton, Stewart of Crawford, and Tebbetts.

The chair laid before the House the following communication from the Auditor:

AUDITOR'S OFFICE,
Little Rock, Arks,, Dec., 10th, 1850.

Hon. T. B. Flournoy, *Speaker
of the House of Representatives*:

Sir—In obedience to a resolution which passed the House of Representatives on the 19th of November, 1850, I havethe honor to report to your honorable body "a tabular statement of the number of acres of land assessed for taxation for the year 1850, in each of the counties of the State, with the average value of such assessments per acre in each county respectively." Also "the number of acres in each county that were assessed for that year at the rate of $3 per acre.

The probable diminution of the State revenue that would result from the repeal of so much of the revenue act as fixed a minimum rate of value on all lands subject to taxation," is estimat- by the Auditor at one-half of the amount now received for taxes on lands.

The slight advance on the "minimum valuation" in the counties is mainly attibutable to the tax on improvements on lands owned by residents. There is no doubt but the repeal of the minimum valuation" law would greatly reduce the taxes received from lands owned by residents.

At least one-fourth of the lands subject to taxation in the State are owned by non-residents. Indeed in some counties they own more than one-half of the taxable lands. The cases are exceedingly rare in which those nan-residents list teeir lands above the "minimum." In many cases the lands so listed at the "minimum" valuation cannot be purchased for less than $10 per acre. The State has no assurance that these same non-residents will not, if the minimum be repealed, list their lands as low as $1 25 per acre, or even at less value.

I am respectfully, your o'bt serv't,

C. C. DANLEY,

Auditor of Arkansas.

A TABULAR STATEMENT

Showing the number of acres of land assessed for taxation for the year 1850, in each of the counties of the State, with the average value of such assessment per acre in each county respectively, and also the number of acres in each county that were assessed for this year, at the rate of three dollars per acre.

	COUNTIES.	Number of acres of land assessed for taxation for the year 1850, in each of the counties of the State.	Average value of lands assessed for the year 1850	Number of Acres of land in each county assessed for the year 1850, at $3 per acre.
1	Arkansas	150,614	7 36	130,762
2	Ashley,	29,450	4 37	14,447
3	Benton,	40,247	3 17	34,527
4	Bradley,	48,954	3 25	40,973
5	Carroll,	19,936	4 50	2,001
6	Chicot,	195,461	5 60	83,189
7	Clark,	122,667	3 21	103,162
8	Conway,	91,686	3 10	88,631
9	Crittenden,	198,954	3 75	127,302
10	Crawford,	113,395	3 78	58,929
11	Dallas,	118,503	3 48	45,498
12	Desha,	110,088	4 37	89,756
13	Drew,	103,189	3 12	95,622
14	Franklin,	48,780	3 67	25,923
15	Fulton,	16,384	4 00	1,818
16	Green,	4,414	3 80	1,362
17	Hempstead,	195,486	3 62	98,913
18	Hot Spring,	31,534	3 45	27,436
19	Independence,	129.190	3 25	101,231
20	Izard,	12,320	3 97	4,349
21	Jackson,	98,077	3 58	80,571
22	Jefferson,	128,500	4 62	60,067
23	Johnson,	60,539	4 07	21,216
24	Lafayette,	173,489	3 63	136,785
25	Lawrence,	67,353	3 41	58,928

STATEMENT—Continued.

	COUNTIES.	Number of acres of land assessed for taxation for the year 1850, in each of the counties of the State.	Average value of lands assessed for the year 1850	Number of acres of land in each county assessed for the year 1850, at $3 per acre.
26	Madison,	24,285	4 41	6,314
27	Mississippi,	58,936	3 98	24,141
28	Monroe	137,546	3 54	101,297
29	Montgomery,	5,443	6 40	40
30	Newton,	3,841	4 61	8
31	Ouachita,	116,240	4 87	23,13
32	Perry,	13,436	3 09	5,44
33	Phillips,	293,989	3 83	223,44
34	Pike,	13,374	3 82	3,05
35	Poinsett,	166,111	3 24	31,90
36	Polk,	1,922	4 30	50
37	Pope,	36,625	3 80	12,43
38	Prairie,	103,068	3 18	76,62
39	Pulaski,	197,937	3 83	164,02
40	Randolph,	49,467	3 12	48,34
41	Saline,	80,113	3 08	79,47
42	Scott,	8,846	4 29	3,61
43	Searcy,	2,690	6 00	12
44	Sevier,	10,448	3 74	36,87
45	St. Francis,	152,748	3 46	120,16
46	Union,	195,426	3 11	173,213
47	Van Buren,	8,659	3 79	5,115
48	Washington,	151,880	3 22	118,413
49	White,	59,145	3 35	44,414
50	Marion,	8.931	5 53	1,19
51	Yell,	33,797	3 63	12,28

C. C. DANLEY, *Auditor*
of Public Accounts of the State of Arkansas.

AUDITOR'S OFFICE,
Little Rock, Ark's,
December 10, 1850.

On motion of Mr. Fletcher said communication with the accompanying documents were referred to the committee on ways and means and it was ordered that 200 copies of the same be printed for the use of the House.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act concerning chaplains of the General Assembly.

J. M. ROSS,
Secretary of the Senate.

House bill No. 97 to be entitled an act to create the office of Geologist for the State of Arkansas,

Was taken up.

On motion of Mr. Carroll the bill was laid on the table for the present.

House bill No. 27 to be entitled an act to prevent speculations in donation lands and to dispense with the making of improvements thereon by minors and married women

Was taken up and the Senate's amendments thereto concurred in.

Senate bill No. 24 to be entitled an act to grant H. B. Allis a charter to turnpike Fourche bottom,

Was taken up and read a 3d time and passed.

Senate bill No. 29 to be entitled an act for the relief of the citizens of Arkansas county

Was taken up and read a 2nd time and was on motion of Mr. Ferguson referred to a select committee consisting of

Messrs Ferguson, Wilson and James.

Senate bill No. 58 to be entitled an act to provide for the payment of costs accruing in the prosecution of certain suits by the State

Was taken up and read a 1st time and ordered to a 2nd reading on to-morrow.

Senate bill No. 55 to be entitled an act to amend the 117 chapter of the Digest under the caption of patrols,

Was taken up and read a 1st time.

And on motion of Mr. Cline the rules were dispensed with and the bill read a 2d time and referred to the committee on the judiciary.

On motion of Mr. Emerson leave of absence was granted to Mr. Hart.

On motion of Mr. Foreste leave of absence was granted to Mr. Gilmer on account of indisposition.

Senate bill No. 62 to be entitled an act to repeal the 6th section of the 44th chapter of the Revised Statutes of Arkansas giving circuit courts jurisdiction of assault and battery cases

Was taken up and read a 1st time.

On motion of Mr Whittington the rules were suspended and the bill read a 2d time and referred to the committee on the judiciary.—

Senate bill No: 39 to be entitled an act supplementary to an act to incorporate the Van Buren and Fayetteville turnpike company

Was taken up and read a 1st time.

On motion of *M*r. Cline the rules were suspended the bill read a 2d time and referred to the committee on internal improvement.

Senate bill No. 47 to be entitled an act to provide for the printing of the Governor's Message and making and printing the reports of the different State officers

Was taken up and read a 1st time.

On motion of *M*r. Blakemore the rules were suspended and the bill read a second time and referred to the committee on ways and means.

Senate bill No. 52 to be entitled an act to call in the scrip of Marion county

Was taken up and read a first time.

On motion of Mr. Forreste the rules were dispensed with and the bill read a 2nd and 3rd time and passed.

Senate bill No. 26' to be entitled an act to incorporate the Grand Lodge of the Independent order of Odd Fellows of the State of Arkansas

Was taken up and read a 1st time and ordered to a second reading on to-morrow.

Senate bill No. 65 to be entitled an act to legalize the sale of the 16th section T. 16 N. R. 24 West in the county of Madison

Was taken up and read a first time.

On motion of Mr. Foreste the rules were dispensed with the bill read a second time and referred to the committee on Education.

Mr. Bailey moved an adjournment—

Which was lost.

Joint resolutions of the Senate instructing our Senators and requesting our Representative in Congress to procure the establishment of a mail route from Princeton, Dallas county to Eldorado in Union county

Was taken up and read a 1st time and ordered to a second reading to-morrow.

Mr. Sevier moved an adjournent—

Which was lost.

Joint resolutions of the Senate No 17 instructing our Senators and Representative in Congress to procure a change in the mail route from Little Rock to Washington, so as to pass———Arkadelphia instead of Raymond

Was taken up and read a 1st time and ordered to a second reading on to-morrow.

The following message was received from the Senate by the Secretcary:

Mr. Speaker:
I am instructed to inform your honorable body that the Senate have concurred in the resolution of the House of Representatives calling on the Senate for the Governor's message and accompanying documents made to the Senate in relation to the difficulties in Marion county and I herewith furnish by order of the Senate the papers called for in such resolution.

JOHN M. ROSS
Sec'y of Senate.

On motion of Mr. Tebbetts the papers and documents accompanying the above message were referred to the committee on the Militia.

On motion of Mr. Nettles the House adjourned.

T. B. FLOURNOY, Speaker.

WEDNESDAY, Dec. 11th 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Reports from the standing committees were in order.

*M*r. Tebbetts from the committee on internal improvements to whom was referred House bill No. 113 to be entitled an act suplemtary to the distribution act approved 30th Dec. 1848

Reported the same back to the House and recommended its rejection.

On motion of Mr. Caldwell the bill was laid on the table for the present.

Mr. Tappan made the following

REPORT:

Mr. Speaker—

The committee on enrollments have examined an act for the relief of the Sheriff of Scott county—

Also, an act for the relief of Jas. M. Pearce Sheriff of Van Buren county—

Also, an act for the relief of John W. Fullerton late Sheriff and Collector of Hot Spring county—

Also, an act to prevent speculation in donation lands and to dispense with the making of improvements thereon by minors and married women and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Mr. Leslie made the following report:

The minority of the committee on the Penitentiary differing in opinion with the majority beg leave to present the following

REPORT:

When the Penitentiary system was adopted by this State, the enormous expense with which it has been attended, and the disastrous results that have followed were far from being anticipated. For the past ten years it has absorbed more than a tenth of the revenue of the State, and should it be continued, there is reason to believe that the expense for the next ten years will not be less than it has been. The total amount of money appropriated by the State to the Penitentiary exceeds one hundred thousand dollars, for which nothing can now be exhibited but a few, crumbling walls and a dilapidated tenement.

When such enormous expenditures have taken place it becomes a matter of serious moment to the people that the enquiry should be made whether the Penitentiary system has produced benefits to the State that have kept pace with or corresponded to its expenses. This system was adopted to reform and reclaim the convict, to prevent his committing depredations on society and deter him from crime. But these objects are not fully accomplished by the system as our own experience and that of other States show most conclusively.

The statistics collected by the New York Prison Discipline Society exhibit the fact, that nearly one third of the annual convictions in that State, are persons who have been previously convicted.

An examination into other prison reports convinces us that there is but little to encourage the hope that reformations can be effected by this system while on the other hand it is seen that the associations of the convict while in prison are such as to render him a much more dangerous member of society than he was previous to his imprisonment.

It has been said and with much truth that when a man enters a prison his education in crime commences, it is there he acquires a knowledge in 2 or 3 years that under ordinary circumstances could not be acquired in a life time, and though he may be a novice when committed, he leaves the prison an adept in crime of all kinds, and well calculated to transgress the rights and the interests of society, besides he has no longer any motive for rectitude of life, his reputation is gone the confidence of the community is destroyed, his self-respect is lost and a stigma has been entailed upon his innocent and unoffending offspring. With feelings embittered against society, it is not to be wondered at when set at liberty, that he should avail himself of the first oppertunity that presents itself with an increased zeal and energy to renew his previous course of crime. As to the protection society receives from this system, it is hardly worth a moments consideration The average duration of imprisonment in this State for each convict. will not exceed four years consequently one-fourth of the convicts are set loose upon society annually and in four years the whole number is at large again.

That this system operates to some extent as a restraint upon the vicious is not to be doubted but it is believed that a mode of punishment quite as efficient and for less expense might be introduced in its stead.

North Carolina and South Carolina have no Penitentiary system and yet it is said that their criminal dockets will not exceed those of any State in the Union. But if the system is to be continued in our State, an appropriation of at least sixty thousand dollars will be required.

The question naturally arises where is this large sum to come from? The Governor in this message shows us that the expenses of our State for the next two years will fully amount up to the revenue. It must be raised then by laying additional taxes upon the people, to which, with their present burdens we have no idea they will ever submit. We, the minority, of the committee, therefore, taking into consideration the present impoverished condition of the treasury, the enormous expense it would require to rebuild the penitentiary and the imperfections of the Penitentiary system in checking vice and benefitting society, would respectfully recommend that it be abolished by the General Assembly.

Some of our sister States prove to us by their laws that a penitentiary is not essential to their prosperity or to the happiness and security of their citizens.

We the minority of the committee would therefore respectfully recommend to the General Assembly to instruct the committee on the penitentiary to report some plan as a substitute for the penitentiary system.

All of which is most respectfully submitted.

SAM. LESLIE,
M. YOCHUM,
B. W. AYERS.

Mr Bailey was called to the chair.

On motion of Mr Patrick the report of the minority of the committee on the penitenitiary was laid on the table for the present.

And on motion of Mr Leslie 100 copies were ordered to be printed.

Mr Wills asked and obtained leave of absenee for Mr Atkins.

Mr Cline made the following

REPORT:

Mr. Speaker—

The select committee to whom was referred Senate bill No.42 to be entitled an act to authorize the sale of the 16th section for less than $200 per acre in certain cases, have had the same under consideration and instructed me to report the same back to the House without amendment and recommend its passage.

———Cline chairman select committee.

On motion of Mr. Cline the rules were dispensed with and the bill was read a third time.

The question then arose upon the passage of the bill:

Mr. Stuart of Green called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs. Anderson, Armstrong Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Greene, Hardin, Harris. Imboden, Jackson, James, Johnson Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Walker, Witherspoon, Woodward, Wills Wilson and Yochum—66.

So the bill was passed.

The following message from the Senate was received by the Secretary:

Mr. Speaker.

I am instructed to inform your honorable body that the Senate have adopted a joint resolution asking Congress to donate the proceeds of the 4th sections of land reserved around the Hot Springs to the erection of a Hospital for the indigent poor.

Which is herewith transmitted for the concurrence of the House of Representatives.

The Senate have assented to House bill No. 23 to be entitled an act for the benefit of Andrew J. Roberts, with an amendment thereto in which your honorable body is respectfully asked to concur.

Which is herewith returned.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Woodward from the select committee to whom was referred House bill No. 150 to be entitled an act to authorize the several county courts of this State to order the burning of all useless papers after being on file for the space of two years in the Clerks office reported the same back to the House and recommended its passage.

On motion of Mr. Preston the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Caldwell introduced the following resolution:

Resolved, That the committee on Education be instructed to report a bill to this House repealing an act to divide the seminary fund and to establish common schools, and appropriating the entire fund to the erection and endowment of one Seminary of learning.

Mr. Embry called for the ayes and noes on the adoption of said resolution which call was sustained and the roll was called.

*T*hose members who voted in the affirmative are

Messrs. Carroll, Coldwell, Cauthron, Embry, Fletcher, James, *M*cRae, Patrick, Preston, Pyburn, Stuart of Green, Tappan, Woodward—13.

Those members who voted in the negative are

*M*essrs. Adams, Anderson, Armstrong, Ayres, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Ferguson, Farmer, Foreste, Gordon, Hardin, Harris, Imbodeu, Jackson, Johnson, Kinsworthy, Leslie, *M*iller, *M*itchell, *M*cIlroy, Morton, *M*urph, Moore, Nettles, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Sevier, Simpson, Sadler, Trimble, Tebbetts, Walker, Witherspoon, Whittington, Wills Wilson Yochum and *M*r. Speaker—53.

So the resolution was not adopted.

Mr. Flournoy introduced the following joint resolutions:

A

JOINT RESOLUTIONS.

The State of Arkansas, through her Senate and House of Representives, in General Assembly convened, addressing herself to her sister States, most solemnly declares—

1. That she and her citizens have never been unmindful of the obligations due by them to the other members of the great family of Republics; nor ceased to cherish a most ardent devotion to the union of these States, and a most profound reverence for the National Constitution; that she and they desire no change or alteration in either, and are at all times ready and willing to perform all the duties which the mandates of the Constitution, the ties of a common blood and a common origin, and the relations of amity and kind regard between the States impose upon them; and that firmly resolved at no time to submit to dishonor, disgrace, or humiliation, they are ready to make any other concession or to submit to any other sacrifice which may be necessary to the perpetuity of the Union.

2. That it is her and their fixed and unalterable determination to assert, and, at all times, with a proper firmness to maintain her entire political equality, in every possible respect, according to the Constitution, with the proudest and strongest of her sisters, more especially as to the territory purchased with the common funds of the nation, or bought upon those fields of battle to which she sent her noblest sons, to pour out their blood like water, under the flag of the Union.

3. That she has, therefore, at all times asserted and is now satisfied with the principle as lately established by the Congress of the United States, in the erection of territorial governments for New Mexico and Utah, that Congress has no power to interfere or intermeddle with, or in any way to legislate concerning the admission into or exclusion from any such territory, of any species of property whatever, whether the same be or be not peculiar to one portion of the Union; and that she equally asserts the principle that the people of such territorry have no right to pass any laws, or enact any provisions for the exclusion of such property, except when they proceed, under and by virtue of the proper constitutional authority, to frame a constitution to govern them, upon their admission into the Union as a State. And, moreover, she utterly denies the doctrine that the laws of a conquered country, excluding and forbidding the existence

of slavery, can remain in force after the conquest, so as to prevent the victors from taking to such conquered territory anything which their own laws recognize as property.

4. That while she cannot but be sensible that injustice has been done to her, and her sister States of the South, by the mode in which the constitution of California was formed, and by the means and manner of her admission as a State, still she recognizes and admits that the Congress of the United States had ample power to overlook any irregularities in these respects, and has, in the admission of the new State, exercised no power not granted by the Constitution, and done no act which would justify a secession from the Union, on her part, or on the part of any of her southern sisters.

5. That, whatever might have been her opinion, as to the propriety of the late act of Congress in regard to the boundary of Texas, under other circumstances, and if enacted in a time of profound calm, and of national contentment, she is satisfied that, at the time of its enactment, and under the circumstances which forced it upon the country, it was a wise and politic measure, indispensable to the public peace and the continued existence of the Union.

6. That the Congress of the United States, in enacting the late law for the recapture of fugitive slaves, has merely performed an imperative and undeniable duty, to which it was compelled by the solemn mandate of the constitution, and by every obligation of justice and honor. That the President of the United States is bound, by his oath of office and his duty as a magistrate, a citizen and a patriot, to enforce that law and see it executed in good faith, to the letter, and at all hazards,—no matter against what opposition: even at the cost of human life That the State of Arkansas is entirely satisfied that, under a proper construction of the constitution and of the duties which, under it and by virtue of their connection as one nation, the several States owe to each other, it is and always has been the duty of each State actively to enforce, by her own laws and by means of her own officers, the execution of that provision of the constitution which declares that persons held to service or labor in one State under the laws thereof, escaping into another, shall be delivered up on claim of the party to whom such service or labor may be due, and no sophistry or judicial logic can destroy the profound conviction which she feels, that this provision, pledge, and solemn promise imposes on the States positive and affirmative duties which every dictate of honesty and good faith requires them faithfully and scrupulously to perform.

7. That she considers each non-slaveholding State bound, by every consideration of justice, honesty, and patriotism, to render prompt and perfect obedience to the law in question, and she regards it as a great public crime for any such State either actively to oppose its entire execution, or passively to allow it to become a dead letter.

8. That she and her citizens have, at all times, placed full reliance in the wisdom of the Congress of the United States, and have there-

fore given way to no excitement, united in no wild schemes or plans of disunion, raised no flag of secession or rebellion, but have waited patiently to see the end, with entire confidence in the sense of justice and patriotism of the great mass of their brethren of the North, and she hereby declares that her confidence in Congress has not been disappointed, and that she is satisfied with the measures of compromise and conciliation adopted at its last session, as in her judgment entirely wise, necessary and patriotic. She and her citizens will yield to them a prompt and cheerful obedience, and she returns to the great and good men of all parties, who united and aided in passing these wise and salutary measures, her most profound and grateful thanks.

9. She declares that these enactments ought to stand and remain unchanged, unchangeable and sacred, through all coming time, as perpetual laws of the republic, and he that would, in the slightest degree, violate them, should be held by all as a traitor to the Union. And she calmly and kindly, but firmly, makes known to her sister States of the North that, whenever the fugitive slave law is repealed, or emasculated, or whenever public opinion, or a higher law, prevents its execution, and it becomes a dead limb on the tree of legislation, this ought to be regarded, and she will regard it as a formal declaration, on the part of her northern sisters, that they no longer desire to be, and no longer mean to be governed by the constitution; that they no longer mean to comply with their constitutional obligations, or perform their constitutional duties; and that they no longer wish any political association with the slave-holding States, but prefer and are resolved on a virtual dissolution of the Union.

10. That in that grave emergency, horrible to her as is the aspect of secession, introducing as she is perfectly convinced, a long and desolating civil war, with all its attendant train of miseries and horrors;—disastrous to these States, to the world, and to the cause of human freedom, as would be a dissolution of the bonds which interlock these sovereignties;—miserable as would be thereafter the condition of her people, and all the people of this unfortunate republic; dark and gloomy and impenetrable to all vision but that of Omniscience as would be the fearful future, still there would be but one course open for her to pursue, with honor, but one path in which to travel without humiliation, and in that path she will march unfalteringly forward, no matter at what risks, or with what consequences, to whatever may, in the mercy of God, be her destiny.

11. That the people of Arkansas, in this matter, have but one opinion, and speak with a single voice. They make to their northern brethren this announcement, of their final resolution, with the calmness of men who have boldly looked the dark future in the face, measured the coming danger, and prepared to meet it bravely, though it overwhelm them in one common ruin. They have spoken with a sober, serious, earnest and inflexible determination, and have no further argument to make, no other remonstrance to offer. But they still entertain entire confidence in the wisdom of Congress, and have

an abiding faith in the justice of their northern brethren, their love for the Union, and reverence for the constitution. They hope for and trust in the perpetuity of the Union, and the completion by the American Republic, of her magnificent destiny. They cling to their joint ownership in the sacred soil of Bunkerhill; of Saratoga, of Trenton, and the other battlefields of the north, where northern and southern blood ran in brooks together, and in all the glorious memories, that cluster around those immortal names. They desire forever and ever to share with their northern brethren, the ownership of the holy ground of Yorktown, and King's Mountain, of Eutaw, and New Orleans; and the still nobler precincts of Mount Vernon; and they trust and believe, that in peace and in war the glorious flag of the Union will continue, as long as the everlasting granite of the Alleghanies endures, to float in the sun-light and storm, over a great and free people, bidding defiance alike to foreign armies, and to intestine discord.

But should these fond hopes and expectations be disappointed, then will the State of Arkansas, appealing to God to witness the rectitude of her intentions, and the justice of her cause, unfalteringly tread through all dangers, the path which duty and honor may dictate, and be at all times, true alike to herself, to her children, and to her sister southern States, to whom she will be indissolubly bound by a common interest, and the sufference of common insults, injuries, and wrongs.

Which (Mr. Flournoys resolutions) were read a 1st time.

On motion of Mr. Patrick the rules were dispensed with and the resolutions were read a 2d time and referred to the committee of the whole House, and made the special order of the day for Thursday 19th inst.

Mr. Preston moved to print 100 copies of the resolutions.

Mr. Dodd moved to amend by inserting 1000.

Which was adopted.

The motion as amended was then adopted.

Mr. Baker introduced a bill to be entitled an act for the relief of Wm. A. Doe of Independence county."

Which was read a first time.

On motion of Mr. Baker the rules were dispensed with and the bill was read a 2d time and referred to the committee on the judiciary.

Mr. Singleton introduced a bill to be entitled an act for the relief of Eleazer T. Wells of Chicot county, Arks.

Which was read a first time.

On motion of Mr Singleton the rules were dispensed with and the bill was read a 2d time and referred to a select committee consisting of Messrs Singleton, Carroll and Tebbetts.

Mr. Cauthron introduced a bill to be entitled an act to change the time of holding the probate court in Scott county, which was read a first time.

On motion of Mr. Cauthron the rules were dispensed with and the bill was read a 2d time and referred to a select committee consisting of Messrs Cauthron, Walker, and Russell.

Mr. Foreste moved to take up the special order of the day.

Which motion was lost.

Mr. James gave notice that he would on to-morrow or some day thereafter ask leave to introduce a bill to provide for recording the commissions of officers.

Also a bill to amend the law in relation to the sale of the Seminary lands in this State.

Also a bill to amend the act incorporating the town of Pine Bluff, and also a bill to amend the revenue laws of this State.

On motion of Mr. Sevier, joint resolution of the House raising a committee to act in conjunction with a committee to be appointed by the Senate to inquire into and report whether any defaulters or holders of public money are occupying seats as members in either branch of the present General Assembly,

Was taken up and read a 2d time.

Mr. Sevier offered to amend by striking out three and inserting five.

Which was adopted.

On motion of Mr. Sevier the rules were dispensed with and the resolution was read a third time and adopted.

Whereupon Mr. Speaker appointed Messrs Tebbetts, Foreste Coldwell, Eaton, and Trapnall as the committee on the part of the House.

Senate bill No. 12 to be entitled an act to grant William T. Wall a charter to turnpike Freeo bottom, was taken up and read a second time.

Mr. Woodward offered the following amendment.

Amend the 12th line of 1st section by inserting the word 75, instead of 99.

Also by substituting the following for the 2d and 3d sections.

Sec. 2. *Be it further enacted*, That said turnpike shall commence on the north side of the Freeo bottom, where the present road leading from Camden to Princeton now enters said bottom, and running from thence in the direction of said road as straight as the nature of the case will admit, near or about the distance of one mile to the south side of said bottom to or near the bridge which is near the residence of John Barr.

Sec. 3. *Be it further enacted*, That said William T. Wall or his heirs shall turnpike and causeway the said road and shall bridge the said creek, and also such sloughs as may be in the way of said road within the points aforesaid wherever it may be required to make said road dry and convenient passage at all times and shall keep the same in good repair, for and during the period of this grant.

Which were adopted.

House bill No. 89 to be entitled an act for the relief of John Chandler, late sheriff of Randolph county was taken up and the amendment of the Senate thereto concurred in.

Joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to procure a change in the mail route from Little Rock to Washington so as to pass through Arkadelphia instead of Raymond,

Was taken up and read a 2d time.

On motion of Mr. Emerson, the rules were dispensed with and the resolution was read a 3d time and concurred in.

On motion of Mr. Cline, the amendments to the constitution proposing to reduce the number of members of the General Assembly were taken and read a 2nd time.

Mr. Sevier moved to lay them on the table indefinitely.

Mr. Coldwell called for the ayes and noes, which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Adams, Armstrong, Bailey, Billingsley, Bradley, Carroll, Eaton, Emerson, Embry, Ferguson, Farmer, Fletcher, Green, Harris, Imboden, James, Kinsworthy, Miller, McRae, Murph, Morton, Moore, Nettles, Preston, Pyburn, Rosson, Singleton, Steward of Crawford, Sissel, Sevier, Simpson, Tappan, Witherspoon, Whittington, Wills, and Mr. Speaker—35.

Those members who voted in the negative, are

Messrs Anderson, Ayers, Baker, Blakemore, Brewton, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Foreste, Gordon, Hardin, Jackson, Johnson, Leslie, Lafferty, Mitchell, McIlroy, Russell, Trimble, Tebbetts, Walker, Wilson and Yochum—29.

So the amendment was laid on the table indefinitely,

The following amendment to wit, That all laws of a general nature shall have a uniform operation, was taken up and read a 2d time and was on motion of Mr. Tebbetts, referred to the committee on the Judiciary.

On motion of Mr. Sevier the House adjourned.

T. B. FLOURNOY, *Speaker.*

THURSDAY, DEC. 12th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Mr. Speaker laid before the House an account of Mr. H. H. Armstrong for services rendered as clerk to the committee on banks, which

On motion of Mr. Bradley, was referred to the committee on banks.

Mr. Patrick asked and obtained leave of absence for Mr. Pyburn.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Whittington from the joint committee on the Penitentiary made the following

REPORT:

Mr. Speaker—

The Joint Standing Committee on the Penitentiary, to whom was referred so much of the Governor's message as refers to the Penitentiary, after having had the same under mature consideration, beg leave to report the following as their conclusions, and determination:

In the investigation of the subject, they have felt it no less a duty than a desideratum, that they should entertain, with a full sense of their importence the manifold suggestions, for the perpetuity, completion, and improvement of the Penitentiary system, on the one hand, and its total abolishment on the other.

Indeed, it would seem to look but to the Arkansas Penitentiary, that to make choice betwixt the two propositions, would be by no means a difficult, nor an unpleasant duty.

But whilst there is being evinced, as we think, more wisdom and liberality, and a settled determination on the part of the legislature, to make the Penitentiary, what Penitentiaries are in every State, and what one should be, the whole question, at once resolves itself into one of abstract political expediency, and sound public Policy.

Amongst the first rudiments of every well organized government, we find engrafted provisions for the protection of life, liberty, and property, and an adequate and certain punishment for an infringement of those consecrated privileges. And too surely, in the absence of such coercive appliances, a body politic, or soial, would be bereft of that self-preserving principle which is the nain-spring and correction of all successful governmental associations.

And, averse as we may be, to an effectual exercise of such rigorous authority, yet the history of all past experience, proves it confessedly indispensable. And though an inculcation of correct moral and religious principles—supported by an elevated standard of intellectual and educational acquirements, may in an eminent degree determine the character and lessen the amount of crime and misdemeanor, yet, we cannot hope with any degree of self-confidence, that it can ever be entirely extirpated and driven from the land. Then, as an indubitable and certain consequence, we must either bring the offender to the scaffold, or to disgraceful and humiliating incarceration. And in view of the unsettled state of public opinion and diversity of political sentiment, in reference to the adoption of the one or the other dispensation, we hope, and feel, that on our part, it would be by no means, considered as obtrusive or improper to enter somewhat into detail in the solution of this perplexing and important question.

In searching for a precedent from enlightened anterior legislation, we find nothing sufficiently authoritative to lead us to a conclusion, for such has been the contrariety of sentiment and practice, that the examples in neither case could be relied on as furnishing a certain rule.

But from an apparently increasing public sympathy, and a daily manifestation in public opinion in favor of a relaxation of unnecessary and excessive rigor in adjudging retribution to the unfortunate offender, we conceive, we would the better fulfil public expectation, by declaring—that that which no human authority has ever given—it should never take away. And that the ends of public justice, nor the protection of society, in no case requires that a fellow mortal should be deprived of his existence, and hurled headlong into ternity, without his agency or consent. And however susceptible of argument—we believe the present system, on the score of mere expediency, to be demonstrably the more efficient for the suppression of human crime.

For we know from constant observation, evinced daily in the courts of the country, that many go unwhipt of justice from consciencious scruples, entertained by doubting jurors, who are unwilling in consequence of the severe penalties, to execute the law. From which we are led to question the propriety in any case of punishment by death, and we believe the legislature would not fail in the promotion of the public good, by substituting imprisonment for the "hanging by the neck," as it seems but too palpable that as the grade or enormity of the offence is increased, the chances of conviction become much lessened—the punishment being greater, the juror must be less doubting, until at length, when it shall have obtained its ultimatum, escape is almost rendered certain.

But make the punishment of such a character as will comport with the conscience of every man, and the murderer will be secured—public vengeance will be appeased, and homicide be rendered of much more rare occurrence.

And again—on the score of public economy the interrogation has been frequently propounded: Is it not feasible and worthy of experiment, that the convicts be releassd from their confinement, and placed upon some public work, a public highway, for instance or the erection of some embankment for the reclamation of overflowed lands?

To this, it seems to us, that but one response can ever be given, and that is, that it would amount to an unconditional surrender of the prisoner. They are consigned by the judgment of their peers, and the laws of the land to incarceration in the Penitentiary—the judgment is specific, and the execution must follow as specifically. If a criminal is adjudged to be hanged, he can neither be drawn and quartered, nor be taken to the guillotine, for the greatest beauty of the law, is the certainty of the law. And a statute now passed substituting manual labor for imprisonment, would not only destroy that valued certainty, but be *ex post facto* in its character, and in consequence unconstitutional.

The "Habeas Corpus" would afford them an efficient and happy facility for the reclamation of their once lost liberty, and society pay the penalty for such ill-conceived legislation.

But suppose we abolish the Penitentiary system entirely, and advert at once to our original laws. The present convicts numbering some forty-two, embodying an amount of moral turpitude unsurpassed in any age or clime, must of necessity be turned loose upon society, not only to the immense disparagement and discredit of the State, but to her great pecuniary loss and embarrassment.

A Penitentiary code has been engrafted upon our Statute Books—grounds have been purchased—improvements have been made—implements, fixtures, and materials are on hand beside many other less important items—all of which must be made a sacrifice to the importunate and infectious spirit of change, and immolation. Then we cannot well arrive at any other rational conclusion than, that the system should be continued—and an adequate appropriation be made to place it in the progress of successful and efficient operation.

The committee, by their personal inspection and examination of the condition of the Penitentiary, find it in a state of most deplorable dilapidation, and by no means falling short of what we might term an abomination to the land.

The prison house affords no security; the cells humid, without the proper means of ventillation; the inmates unhealthy, filthy, and uncomfortable, with a fair and increasing prospect of being buried beneath the tottering ruins of the decayed and oscillating walls.

Their health being impaired by the absence of all proper means for its preservation, they are rendered worthless as operatives, and soon become a charge, instead of a profit, to the State.—The enclosure is inefficient and temporary, offering irresistable inducements to make desperate and continuous efforts for escape ending in frequent conflagrations, assassinations and death.—Whilst, on the contrary, if the area was *properly* enclosed, and in all respects protected in such a manner as we beg leave presently to recommend, no such inducements would obtain, no such efforts would be made, and no such destruction and dilapidation would ensue.

Whereupon, and in view of all of which considrations, we beg leave to recommend respectfully, the immediate erection of the following buildings and improvements, and that a sufficient amount be appropriated for the defrayment of the expenditure, to wit: A wall of solid masonry, built of granite, enclosing an area of three hundred by three hundred and fifty feet, to be five fieet wide at the base, and terminating with a surface of at least three feet, and not less than eighteen feet high, with suitable gates to enter the same. A keeper's house, out of the same material, and 25 feet long by 20 in width, two stories high, with the necessary windows and fixtures.

Also, three work shops: one of which shall not be less than 200 feet in length by 40 in with, and not less than 12 feet high in story, with windows, grates and doors of a substantial character; said buildings to be covered in good style with slate.

On making inquiry as to the probable cost of the above work, we ascertained, upon what we conceive to be reliable data, that the whole can be completed in say seven years, adding the labor of the convicts, for the sum of $60,000.

As a specification of the plan proposed by the committee for the erection of the wall and buildings, we beg leave to refer to the map or drawing herewith submitted, which, to the extent we propose to go, is illustrative of the design.

And also, we beg leave to submit to you, as part of this report, a communication from Mr. H. B. Allis, of this city, proposing to do the work, and, with most of the stipulations contained in said proposition, we feel willing to concur; whilst there are others of such a character as to challenge our consent.

1st. We think the contractor should be bound unconditionally to deliver, at the time specified in the contract, all work agreed to be put up by him, in complete and perfect order, barring in any case, all and every contingency, and that no damages should be paid him for the falling of the main building, as cited in the proposition.

2d. That no property employed in the progress of the work, should be exempt from *taxation*, as we propose to pay a fair equivalent for the services, and, to do more, would be bad econmy.

3d. That, by the *written* permit of the Governor, persons should be entitled to enter, and that the Contractor be required by specified stipulations in the contract, to treat the prisoners humanely, and, as far as possible, render their situation comfortable and healthy.

The drawing furnished, is one prepared by Mr. Brodie, and submitted to the preceding Legislature. Where the plan of Mr. B. conflicts with the proposition of Mr. Allis, we propose to adhere to the former.

All of which we have the honor most respectfully to submit.

HUEY, *Chairman*
on the part of the Senate.
WHITTINGTON, *Chairman*
on the part of the House.

On motion of Mr. Whittington the report was laid on the table for the present.

On motion of Mr. Carroll 200 copies were ordered to be printed.

Mr. Eaton from the committee on the militia to whom was referred joint resolution of the Senate instructing our delegation in Congress to use their influence to have the bounty land law so extended as to include within its limits the troops from Arkansas, called into service in 1836 by Gen. Gaines, reported the same back to the House and recommended its adoption.

Which report was laid on the table for the present.

Mr. Eaton from the committee on the militia to whom was referred Senate resolution instructing our delegation in Congress to use their influence to procure the passage of a law defining the powers of officers of the Federal Government and the rights and privileges of American citizens in the Indian country, reported the same back to the House and recommended its adoption.

Mr. Trapnall moved to reject the report and resolution.

Mr. James called for the ayes and noes on said motion, which was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs Adams, Anderson, Ayers, Bailey, Baker, Bassham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Coldwell, Cauthron, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmier, Hardin, Harris, Imboden, Jackson, James, Johnson, Kinsworty, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRea, Murph, Moore, Nettles, Patrick, Preston, Rogers, Russell, Rosson, Singleton, Sissell, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall Tebbets, Walker, Witherspoon, Whittington, Woodward, Wills, Wilson, Yochum and Mr. Speaker—64.

Those who voted in the negative are,

Messrs. Eaton, Morton, Steward of Crawford, and Stuart of Green—4.

So the motion to reject prevailed.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The committee on Internal Improvement to whom was referred Senate bill No 39, to be entitled an act supplementary to an act to incorporate the Van Buren and Fayetteville Turnpike Company, have had the same under consideration and have directed me to report the same back to the House without amendment and recommend its passage.

TEBBETTS, Ch'n.

On motion of Mr. Gline the rules were dispensed with and said bill was read a third time and passed.

Mr. Whittington was called to the Chair.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act for the relief of John Chandler, late sheriff of Randolph county.

Also an act to grant to Thomas S. Woodward a charter to turnpike the Ouachita swamp opposite to Camden and to keep a ferry across the Ouachita river, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Reports from select committees were in order.

Mr. Morton made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred Senate bill No. 61, to be entitled an act for the relief of Sutton F. Cottrell, sheriff and collector of revenue for the county of Crawford, have had the same under consideration and have instructed me to report the same back to the House without amendment and recommend its passage.

MORTON, Ch'n.

On motion of Mr. Morton the rules were dispensed with and the bill was read a third time and passed.

Mr. Prest onfrom the select committee to whom was referred certain accounts, reported a bill to be entitled an act for the relief of certain persons therein named.

Which was read a first time.

On motion of Mr Preston the rules were dispensed with and the bill was read a second time and referred to the committee on ways and means.

Motions and resolutions were in order.

Mr. Sissel introduced a bill to be entitled an act to grant a charter to Ezekiel Kinsworthy to make a turnpike or a plank road through the Little Missouri bottom.

Which was read a first time.

On motion of Mr. Sissel the rules were dispensed with and the bill was read a second time and referred to the committee on Internal Improvement.

Mr. Bailey introduced a bill to be entitled an act to incorporate the town of Warren, in Bradley county.

Which was read a first time.

On motion of Mr. Bailey the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. Bailey, Rogers and Woodward.

Mr. Carroll introduced a bill to be entitled an act to declare the road leading from Little Rock to Fort Smith on the south side of the Arkansas river, a public highway.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of

Messrs. Carroll, Simpson, Nettles, Miller, and Morton.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendments of the House to Senate bill No. 12 to be entitled an act to grant a charter to William T. Wall to turnpike Freeo bottom.

The Senate have assented to Honse bill No. 92 to be entitled an act for the relief of Isaac Russell, William Russell and John L. Huston.

All of which are herewith returned.

The Senate have passed a bill to be entitled an act for the relief of the counties of Polk and Perry.

Which are herewith transmitted for the assent of the House of Representatives.

The Senate refused to concur in the resolution of the House of Representatives raising a joint select committee to enquire and report if any members of either branch of this General Assembly are defaulters.

JOHN M. ROSS.
Sec'y of Senate.

Mr. James introduced a bill to be entitled and act to amend the common school system in the State of Arkansas.

Which was read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a second time and referred to the committee on Education.

Mr. Johnson gave notice that he would on to-morrow or some day thereafter introduce a bill empowering the Auditor of the State by law to give Sheriffs credit by law for their mileage in bringing the State revenue.

Mr. Preston introduced a bill to be entitled an act exempting Libraries in this State from attachment and sale under execution.

Which was read a first time.

On motion of Mr. Preston the rules were dispensed with and the bill was read a second time and referred to the committee on Education.

Mr. James introduced a bill to be entitled an act to amend the revenue laws of this State.

Which was read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a second time and referred to the committee on ways and means.

Mr. Trapnall introduced a bill to be entitled an act to incorporate the Trustees of the Little Rock Masonic and Odd Fellows Hall.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Carroll introduced a bill to be entitled an act to authorize Jonathan McKinney to build a toll bridge.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read 2nd time and referred to the committee on internal improvements.

The orders of the day were taken up.

Senate bill No. 56 to be entitled an act to provide for payment of costs accruing in the prosecution of certain suits by the State,

Was taken up and read a 2nd time.

On motion of Mr. McRea said bill was referred to the committee on the Judiciary.

House bill No. 18 to be entitled an act to amend section 23 of chapter 145 of the late Revised Statutes on schools and school lands.

Was taken up.

Mr. Trapnall proposed an amendment which was adopted and the bill as amended was read a 3rd time and passed.

Senate bill No. 26 to be entitled an act to incorporate the Grand Lodge of the Independent order of Odd Fellows of the State of Arkansas,

Was taken up and read a second time and on motion of Mr. Coldwell the rules were dispensed with and the bill was read a third time and passed.

Mr. Harris moved an adjournment,

Which was lost.

Senate bill No. 19 to be entitled an act to reduce the price of the 16th sections in the counties of Randolph and Green,

Was taken up and read a 3rd time.

On motion of Tebbetts said bill was laid on the able indefinately.

Mr. Russell moved an adjournment,

Which was lost.

Senate joint resolution No. 6 rescinding a resolution of 1848 making it the duty of the Secretary of State to take possession of the west wing of the capitol occupied by the United States District Clerk was taken up and read a first time and ordered to a second reading on to-morrow.

On motion of *Mr*. Patrick the House adjourned.

T. B. FLOURNOY,
Speaker of H. Reps.

FRIDAY, Dec. 13th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Imboden presented the petition of Andrew Birge of Lawrence county asking the right to peddle and hawk in this State without license.

Which was on motion of Mr. Imboden referred to a select committee conssting of

Messrs. Imboden, Witherspoon and Mitchell.

Mr. Imboden presented the petition of sundry citizens of Lawrence county asking the passage of an act incorporating the town of Smithville, Lawrence county

Which was on motion of Mr. Imboden referred to the committee as above.

Mr. Trapnall presented the petition of Kaleb Mills, of Pulaski co., asking the right to hawk and peddle in this State free of licence.

Which was on motion of Mr. Trapnall referred to a select committee consisting of

Messrs. Trapnall, Billingsley and McRae.

Mr. Saddler presented the petition of sundry citizens of Yell county asking the passage of an act giving Matthias Harkey the right to hawk and peddle in this State free of license.

Which was on motion of Mr. Saddler referred to a select committee consisting of

Messrs. Saddler, Gordon and Miller.

Mr. Coldwell from the committee on Education reported back to the House without amendment a bill to be entitled an act to exempt libraries in this State from attachment and sale under execution and recommended its passage.

On motion of Mr. Caldwell the rules were dispensed with and the bill was read a 3rd time.

Mr. Cline moved a reconsideration of the vote ordering the bill to a third reading,

Which was lost.

The question then arose upon the passage of the bill.

Mr. Miller called for the ayes and noes which was sustained and the roll called.

Those members voting in the affirmative are.

Messrs Adams, Anderson, Armstrong, Bailey, Billingsley, Blakemore, Bradley, Carroll, Coldwell, Cauthron, Denton, Eaton, Embry, Ferguson, Fletcher, Green, Harris, Imboden, James, Kinsworthy, Lafferty, Mitchell, McRae, Murph, Morton, Patrick, Preston, Rogers, Rosson, Singleton, Stuart of Green, Sissel, Trimble, Tappan, Trapnall, Witherspoon, Whittington, Woodward, and Mr. Speaker —39.

Those voting in the negative are,

Messrs Ayers, Baker, Bassham, Brewton, Chandler, Cline, Dodson, Dodd, Emerson, Farmer, Foreste, Gordon, Jackson, Johnson, Leslie Miller, McIlroy, Moore, Nettles, Russell, Steward of Crawford, Sevier, Simpson, Sadler, Walker, Wills, Wilson and Yochum—28.

So said bill was passed.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act to unite the seminary and 16th sections funds of Washington county in support of common schools.

Also an act to incorporate the town of Napoleon.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have adopted joint resolutions tendering the thanks of this General Assembly to Captains' Allen Wood and Stephen Enyart for their services and gallant bearing in the late war with Mexico.

Which are herewith transmitted for the concurrence of your honorable body.

The Senate have assented to House bill No. 6 to be entitled an act to incorporate the Tulip Female collegiate Seminary with and amendment thereto.

Also House bill no 14 to be entitled an act to incorporate the town of Lewisville with an amendment thereto..

All of which are herewith returned and your honorably body respectfully asked to concur in the amendments of the Senate to the same.

The Senate have concurred in the amendment of the House to Senate bill No. 24 to be entitled an act to grant Horace B. All'is a charter to turnpike Fourche bottom.

JOHN M. ROSS.
Sec'y of Senate.

Mr. Coldwell from the committeee on education to whom was referred Senate bill No. 656, to be entitled an act to legalise the sale of 16th section T. 16 N. R. 24 be in the county of Madison, reported back the bill to the House without amendment and recommended its passage.

On motion of Mr. Coldwell the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred the 2d section of a bill making certain appropriations, reported the same back to the House unfavorably and recommended its rejection.

On motion of Mr. Trapnall said 2d section was laid on the table indefinitely.

Mr. Trapnall from the committee on the judiciary to whom was referred a proposed amendment to the constitution, to wit:

That all laws of a general nature shall have a uniform operation, reported the same back to the House and recommended its adoption.

On motion of Mr. Trapnall, said proposed amendment was ordered to its first formal reading on Monday next.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 165 to be entitled an act for the relief of W. A. Doe of Independence county, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 100 to be entitled an act to amend the police regulations as to slaves, reported the same back to the House unfavorably, and recommended its rejection.

Mr. Lafferty called for the ayes and noes upon the adoption of said report which call was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs. Anderson, Armstrong, Ayers, Bassham, Billingsley, Blakemore, Brewton, Coldwell, Cauthron, Cline, Denton, Dodson, Farmer, Foreste, Gordon, Hardin, Harris, Imboden, Johnson, Miller, McIlroy, McRae, Murph, Moore, Nettles, Patrick, Preston, Rossin, Steward of Crawford, Simpson, Sadler, Tappan, Trapnall, Tebbetts, Walker, Witherspoon, Woodward, Wilson, and Yocum—39.

Those members who voted in the negative are,

Messrs Adams, Bailey, Baker, Bradley, Carroll, Chandler, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Greene, Jackson, James, Kinsworthy, Leslie, Lafferty, Mitchell, Morton, Rogers, Singleton, Sevier, Trimble, Whittington, and Wills—26.

So the report was adopted and the bill rejected.

The following message from the Senate was received by the secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed an act amendatory of an act allowing sherriffs additional compensation, which is herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

The following message was received from the Senate.

Mr. Speaker:

I have the honor to present for your honor's signature an act for the relief of Sutton F. Cottrell sheriff and collector of revenue for the county of Crawford.

Also an act to authorize the sale of 16th section, for less than $2 per acre in certain cases.

Also a resolution instructing our Senators and requesting our Representative in Congress to change the mail route from Little Rock to Washington.

Also an act to call in the Scrip of Marion county.

JOHN M. ROSS,
Secretary of Senate.

The following message from the Governor was received by the private secretary.

Mr. Speaker,

I am instructed to report to your honorable body that the Governor has approved and signed an act for the relief of James M. Pearce, sheriff of Van Buren county.

Also an act for the relief of John W. Fullerton late sheriff and collector of Hot Spring county.

Also an act for the relief of the sheriff of Scott county.

Also an act to prevent speculations in donation lands, and to dispense with the making of improvements thereon by minors and married women.

Also an act to grant a charter to Tho's S. Woodward, to turnpike Ouachita Swamp opposite to Camden, and to keep a ferry across Ouachita river.

Also an act for the relief of John Chandler late sheriff of Randolph county.

M. L. BELL,
Private Sec'y.

Mr Trapnall from the committee on the judiciary to whom was referred Senate bill No. 62, to be entitled an act to repeal the 6th section of the 44th chapter of the Revised Statutes of the State of Arkansas, giving circuit courts jurisdiction of assault and battery cases, reported the same back to the House and recommeded its rejection.

Which report was adopted and the bill rejected.

Mr Preston from the committee on the judiciery to whom was referred House bill 116, to be entitled an act to reduce representation in the General Assembly of Arkansas, reported the same back to the House unfavorably.

Mr. Trapnall moved that the bill with House bill No. 77, be made the order of the day for Monday next.

Which motion prevailed.

Mr. Preston from the minority of the committee on Internal Improvements made the following report.

Mr. Speaker—

The undersigned members of the committee on internal improvement of this House have had under consideration the various propositions referred to them in regard to the act passed at the last General Assembly of this State entitled an act to distribute the proceeds of 500,000 acres of land donated to the State of Arkansas for Internal Improvements, and after due reflection ask leave to present the following report expressive of some of their views in regard to these important subjects.

The 500,000 acre grant to the State of Arkansas by the Congress of the United States for Internal Improvement proposes having been located and by the laws of this State offerred for sale and a large amount of the proceeds thereof paid into the treasury, the Legislature at the session of 1848 and 49, passed an act dividing the same among the counties of the State, to be appropriated by them to objects of Internal Improvements.

That plan for the disposal of this fund was earnestly canvassed before it was established by law.

It was discussed for many weeks in each branch of the Legislature with a degree of excitement rarely witnessed in the deliberative bodies of this country, and when it was finally passed by a majority of the members then constituting the General Assembly, it received the emphatic negative of the patriotic Executive officer, who at that time presided at the helm of State.

It was urged in opposition to the measure that it was a plan for appropriating the fund not contemplated by the grant and in violation of both its letter and spirit, that it was a shifting of responsibility from the Legislature to the people and a delegation of power by the former to the latter entirely unwarranted and in flagrant violation of every principle which prompted the munificent gift. That it was a scheme for placing it in the power of irresponsible parties to divert the proceeds of that noble grant from leading objects of Improvement in the State, to petty objects of mere local concern whose benefits would never extend beyond the neighborhood in which they would be made. That passing through the hands of several hundred office holders unprotected as it was by proper guards and securities would be exposed to an extent of peculation, so startling in its character, that, but few years would be needed to consume the whole amount.

It was contended that under such a system, constant bickerings would spring up among the people of the State, that county would be arrayed against county, and township against township in hostile strife, by a fund intended by the munificence of the Congress of the Union, as a means to bind in the strongest bonds every portion of the whole State.

It was urged that the people of Arkansas expected from the wisdom of their Representatives, a plan for the disposing of this fund, that would form, when executed connecting chains of intercommunication throughout the State, which, shedding their happy influences upon all divisions and all sections would infuse new vigor into the body politic, and commend it to the approval of every patriotic and intelligent citizen in the State.

These considerations, altho' submitted to with becoming decorum by the minority of the Legislature, which passed the destribution law, were scouled from the Legislative Halls and the present law as part of the Internal Improvement system of the State. Two years have passed by and the Representatives of the people are now required by the sacred obligation they are under to the State, to scrutinize the operations of that system, to test its worth by the unerring experience of the past; to ask themselves the solemn question: Has it answered the favorable anticipations of its friends and is there the faultlest probability that it will accomplish what it was intended to do?

This is an enquiry of very grave magnitude and one to which the undersigned can respond as they believe without the slightest hesitation in the negative.

They believe that it is the offspring of error, and that no execution of its details can result in any thing but inglorious disaster to the State.

They would therefore appeal in all security and truth to the patriotism, and good sense of this honorable body and invoke it by every consideration that could be presented to the judgment of so intelligent an assembly to pause and apply the corrective.

Let us abolish the plan and all its evils—let us cut the gordian knot that binds us to a system so pernicious to the interest of the State.—The undersigned in conclusion ask leave to submit the accompanying bill and recommend its passage.

All of which is respectfully submitted.

W. E. PRESTON,
GEO. C. EATON,
THOMAS ARMSTRONG,
E. KINSWORTHY,
ELLIOTT H. FLETCHER.

The bill to be entitled an act to repeal an act distributing the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement, which became a law the 30th day of December, A. D. 1848, reported to the House by the minority of the committee on Internal Improvement as above stated, was read a first time.

Mr. Walker moved that House bill to be entitled an act to amend an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement which had been on the 10th inst. reported back to the House by a majority of the committee on Internal Improvement favorably be now taken up.

Mr. Fletcher called for the ayes and noes upon said motion which was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs. Anderson, Ayres, Baker, Basham, Billingsley, Blakemore, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Gordon, Hardin, Harris, Jackson, Johnson, Leslie, Miller, Mitchell, McIlroy, Morton, Moore, Nettles, Rogers, Singleton, Steward of Crawford, Stewart of Green, Sevier, Simpson, Sadler, Walker Witherspoon, Wilson, and Yochum—42.

Those members who voted in the negative are,

Messrs. Adams, Armstrong, Bailey, Bradley, Carroll, Coldwell, Eaton, Embry, Fletcher, Greene, James, Kinsworthy, Lafferty, McRea, Murph, Patrick, Preston, Russell, Rosson, Sissel, Trimble, Tappan, Trapnall, Tebbetts, Woodward, Wills, and Mr. Speaker—27.

So the motion prevailed and the bill was taken up.

Mr. Embry moved an adjournment, which was lost.

On motion of Mr. Woodward the rules were dispensed with and the bill reported to the House by the minority of the committee on Internal Improvements, was read a second time.

On motion of Mr Preston House bill No. 93, to be entitled an act to amend an act entitled an act to distribute the proceeds of 500,000 acres of land donated to the State for Internal Improvement, and House bill No. 113, to be entitled an act supplementary to an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement, approved, Dec. 30th, 1848, and

House bill No. 160, to be entitled an act to repeal an act distributing the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvements which became a law the 30th day of December, A. D. 1848, were referred to the committee of the whole House and made the special order of the day for Wednesday, next, 17th inst.

Mr. Rogers introduced a bill to be entitled an act to incorporate the Mississippi and Bartholomew plank road company.

Which was read a first time.

On motion of Mr. Rogers the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. Rogers, Singleton, Bailey, Woodward and James.

On motion of Mr. Sevier, the House concurred in the Senate's amendment to House bill to be entitled an act to incorporate the town of Lewisville.

On motion of Mr. Witherspoon the House adjourned.

T. B. FLOURNOY, Speaker.

SATURDAY, DEC. 14th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Tebbetts presented the petition of Rev. Andrew Buchanan, and other citizens of Washington county praying for the passage of an act incorporating the Cane Hill Collegiate Institute.

Which petition, on motion of Mr. Tebbetts, was referred to a select committee of three, with instructions to report by bill or otherwise.

Messrs. Tebbetts, Chandler and Wilson, were appointed as such committee.

Reports from standing committees were in order.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred House bill 168, to be entitled an act to authorize Jonathan McKinney to build a toll bridge, reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a third time and passed.

Mr. Foreste was called to the Chair.

Mr. Tebbetts from the committee on Internal Improvement to whom was referred House bill No. 161, to be entitled an act to grant Ezekiel Kinsworthy a charter to make a turnpike or plank road through the Little Missouri bottom, reported the same back to the House without amendment and recommend its passage.

On motion of Mr. Eaton the rules were dispensed with and the bill was read a third time and passed.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act for the relief of Isaac Russell, Wm. Russell, and John L. Huston. Also an act to incorporate the town of Lewisville, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Mr Bailey from the select committee to whom was referred House bill No. 162, to be entitled an act to incorporate the town of Warren reported the same back to the House and recommended its passage.

On motion of Mr. Bailey the rules were dispensed with and the bill was read a third time and passed.

Mr. Singleton made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill to be entitled an act for the relief of Eleazer T. Wells of Chicot county, Arkansas, have had the same under consideration and have directed me to report the same to the House with the following amendment and recommend its passage, to wit: insert after the word " ezhibit " in the 10th line the words " could do."

SINGLETON, Ch'n.

Which report was adopted.

Mr. Singleton moved a suspension of the rules in order that the bill might be read a third time

Which was lost.

Mr. Carroll from the select committee to whom was referred House bill 163, to be entitled an act to declare the road leading from Little Rock to Fort Smith on the south side of the river a public highway, reported the same back to the House and recommend its passage.

On motion of Mr. Cline said bill was recommitted to the committee on Internal Improvement.

Mr. Rogers from the select committee to whom was referred House bill No. 171, to be entitled an act to incorporate the Mississippi and Bartholomew plank road company, reported the same back to the House with an amendment and recommended its passage.

Which report was adopted.

On motion of Mr. Woodward the rules were dispensed with and the bill as amended was read a third time and passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill to be entitled an act to incorporate St. John's College of Arkansas, which is herewith transmitted for the assent of the House of Representatives.

The Senate have concurred in the joint resolution of the House instructing tne joint committee on banks to inquire into and report how much of the 5 per cent fund has been deposited in bank since 1845.

The Senate have assented to House bill No. 7, to be entitled an act to incorporate the Arkansas Military Institute.

Also to House bill to be entitled an act to change the name of Middleton Hathcock and others of his family.

Also House bill to be antitled an act to incorporate the town of Ozark, in Franklin county.

Also to House bill Ne. 117, to be entitled an act to change the time of holding the county and probate courts of St. Francis and Poinsett counties.

Also to House bill 124, to be entitled an act to exempt the citizens of McCool township in Perry county from serving on grand and petit juries at the spring terms of the circuit courts of said county.

All of which are herewith transmitted.

JOHN M. ROSS
Sec'y of the Senate.

Mr. Cauthron made the following

REPORT:

Mr Speaker,

The select committee to whom was referred House bill 157 to be entitled an act to change the time of holding the probate court of Scott county, have had the same under consideration and ins ruct me to report the bill bact to the House without amendment and recommend its passage.

CAUTHRON, Ch'n.

On motion of Mr. Cauthron the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Miller introduced a bill to be entitled an act to encourage immigration into this State.

Which was read a first time.

On motion of Mr. Miller the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Trapnall introduced a bill to be entitled an act concerning the election of county judges.

Which was read a 1st time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Steward of Crawford, introduced the following:

Resolved, by the General Assembly of the State of Arkansas, That our deleglation in Congress be instructed to use their influence to procure the passage of a law establishing a mail route from Charleston in Franklin county via John Epplers in the narrows of Big Creek in Crawford county to Waldron in Scott county

Which was read a 1st time,

And on motion of *M*r. Steward of Crawford the rules were suspended and the resolution was read a 2nd and 3rd time and adopted.

Mr. Lafferty gave notice that he would on Monday next or some day thereafter introduce a bill to incorporate the town of Clinton in Van Buren county, Arkansas..

Mr. Cauthron gave notice he would only Tuesday next or soon thereafter introduce a bill to amend the 65th chapter of the Revised Statutes under the head of E trays.

Mr. Johnson gave notice that he would on Monday next or soon thereafter introduced a bill for the purpose of defining the rights of those persons who have been privileged to peddle goods, wares and merchandise in this State without license.

Mr. Trapnall introduced the following

JOINT RESOLUTION:

Resolved, by the General Assembly of the State Arkansas, That the committee on the Penitentiary be instructed to enquire in and report (to this House) by what authority the paper belonging to the State bank was sold in 1847 to raise the sum of $10,000 appropriated to rebuild the Penitentiary and if the sale of said paper was not in violation of a positive law and what loss the State sustained by such proceeding?

Also to enquire into and report (to this House what number of convicts n the Penitentiary were pardoned by the Governor from Dec'r. 1st 1845, to 1st day of Feb'y 1849, and from 1st day of Jan'y 1847, to 1st day of Feb'y 1849 and what amount was claimed and allowed Mr. Brodie keeper of the Penitentiary for the convicts pardoned by the Governor.

Which was read a first time.

On motion of Mr. Trapnall the rules were suspended and the resolution was read a second and third time and adopted.

On motion of Mr. Wilson the orders of the day were taken up.

Senate bill No. 36 to be entitled an act to incorporate the Grand Lodge of the Independent order of Odd Fellows of the State of Arkansas, Was taken up and read a 3rd time and passed.

House bill No. 6 to be entitled an act to incorporate Tulip Female Collegiate Seminary,

Was taken up and the amendments of the Senate thereto concurred in.

Joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to have the late military bounty land law extended so as to embrace the troops called into the service by Gen. Gaines in 1837,

Was taken up and read a 3d time and concurred in.

Joint resolution of the Senate rescinding resolution adopted in 1848 directing the Secretary of State to take possession of the west wing of the capitol,

was taken up and read a 2nd time.

On motion of Mr. Wilson the rules were dispensed with and the resolution was read a 3rd time and concurred in.

Senate bill No. 82 to be entitled an act amendatory of an act allowing sheriffs additional compensation,

Was taken up and read a first time.

On motion of Mr. Johnson the rules were dispensed with and the bill was read a 2d time.

On motion of *Mr*. Chandler the rules were again suspended and the bill was read a 3rd time and passed.

House bill No. 3. to be entitled an act for the benefit of Andrew J. Roberts

Was taken up and the amendments of the Senate thereto concurred in.

Senate bill No. 51 to be entitled an act to authorize the judges of the probate courts in differrent counties to issue writs of election in certain cases

Was taken up and read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill was read a 2d time and referred to the committee on the judiciary.

The preamble and joint resolution of the Senate authorizing the Governor to appoint a delegate to the World's Convention

Was taken up and read a first time.

The Speaker resumed the chair.

On motion of Mr. Tebbetts the rules were dispensed and the resolution was read a 2nd time.

On motion of Mr. Lafferty the resolution was referred to the committee on the judiciary.

Joint resolution of the Senate instructing onr Senators and requesting our Representative to use their influence to establish a mail route from Princeton to Eldorado

Was taken up and read a second time.

On motion of Mr. Woodward the rules were dispensed with and the resolution was read a third time and concurred in.

Senate bill No. 72 to be entitled an act concerning chaplains of General Assembly

Was taken up and read a 2nd time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a 1st time

And referred to the committee on the judiciary.

Joint resolution of the Senate instructing our delegation in Congress to favor any legitimate action of the general government which has for its objects the acquisition of the Island of Cuba

Was taken up and read a first time,

And ordered to a second reading on to-morrow.

Joint resolution of the Senate instructing our Senators and requesting our Representative to procure the appropriation of the four section reservation at the Hot Springs to the erection of a hospital at said Springs

Was taken up and read a first time.

On motion of Mr. Whittington the rules were dispensed with and the resolution was read a 2nd time and was

On motion of Mr. Woodward referred to the committee on Memorials.

Senate bill No. 77 to be entitled an act for the relief of Polk and Perry counties

Was taken up and read a first time and ordered to a 2d reading on to-morrow.

Senate bill No. 71 to be entitled an act to unite the seminary and 16th section funds of Washington counties in support of common schools

Was taken up and read a 1st time.

On motion of Mr. Wilson the rules were dispensed with and the bill was read a 2nd time and referred to the committee on education.

Joint resolutions of the Senate tendering the thanks of the General Assembly to Capt's Allen Wood and Stephen Enyart for gallant services in Mexico

Was taken up and read a first time.

On motion of Mr Tebbetts the rules were dispensed with and the resolutions were read a 2nd time

On motion of Mr. Miller they were so amended as to embrace the subalterns and privates of their respective companies and were read a third time as amended and concurred in.

Senate bill No. 78 to be entitled an act to incorporate the town of Napoleon

Was taken up and read a 1st time and ordered to a 2nd reading on to-morrow.

On motion of Mr. Miller the House adjourned.

T. B. FLOURNOY,
Speaker of the House.

MONDAY, DEC. 16, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of Saturday was read and approved.

Petitions from counties were in order.

Mr. Rogers presented the petition of numerous citizens of Drew county, asking the legislature to pass a special act whereby they might get their portion of the 500,000 acre donation; which petition was

On motion of Mr. Rogers referred to a select committee of three with instructions to report by bill or otherwise.

Whereupon, Messrs. Rogers, Nettles and Adams, were appointed as such committee by the Speaker.

Mr. Woodward was called to the Chair.

Mr. Nettles presented a petition from the citizens of Yell county, asking for a portion of Pope county to be attached to Yell.

On motion of Mr. Nettles the petition was referred to the committee on counties and county lines.

Reports from standing committees were in order.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to incorporate the Arkansas Military Institute.

Also an act to change the name of Middleton Hathcock and others of his family.

Also an act to change the time of holding the county and probate courts of St. Francis and Poinsett counties.

Also an act to exempt the citizens of McCool township in Perry county from serving on petit and grand juries at the spring terms of the circuit court of said county.

Also a resolution instructing the joint standing committee on Banks to inquire how much of the 5 per cent fund due this State has been deposited in the Bank since 1845, to the credit of the State, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Reports from select committees were in order.

Mr. Ferguson from the select committee to whom was referred Senate bill No. 29, to be entitled an act for the relief of citizens of Arkansas county, reported the same back to the House and recommended its passage.

On motion of Mr. Ferguson the rules were dispensed with and the bill read a third time and passed.

Mr. Miller gave notice that he would on Thursday, next, introduce a bill to prohibit merchants from charging more than six per cent. on notes or accounts for goods sold by them.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I have the honor to present for your Honor's signature an act to grant Wm. T. Wall a charter to turnpike Freeo bottom.

Also an act to grant Horace B. Allis a charter to construct a turnpike or plank road across Fourche bottom.

Also an act supplementary to an act to incorporate the Van Buren and Fayetteville turnpike company, approved, January 10th, 1849.

JOHN M. ROSS,
Secretary of the Senate.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 96, to be entitled an act for the relief ol Joseph Loupe.

Also to House bill No. 118, to be entitled an act to authorize the clerk of Fulton county to transcribe certain records in his office.

Also to House bill No. 127, to be entitled an act to change the time of holding the probate court of Independence county.

Also to House bill No. 147, to be entitled an act to change the time of holding the spring and fall terms of the county court of Ouachita county.

All of which are herewith returned.

The Senate have passed bill No. 60, to be entitled an act to give an additional place of voting in the town of Fayetteville in Washington county, and Van Buren and Fort Smith in Crawford county.

Also bill No. 63, to be entitled an act for the relief of certain citizens of Ouachita county.

Also bill No. 70, to be entitled an act delaring Ozan bayou navigable.

Also bill no 76, to be entitled an act for the relief of S. H. Hempstead.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

On motion of Mr. Cline the vote of the House rejecting Senate bill No. 62, to be entitled an act to repeal the 6th section of the 44th chapter of the Revised Statutes of the State of Arkansas, giving circuit conrts jurisdiction of assault and battery cases, taken on the 13th inst. was re-considered and the bill ordered to lay on the table for the present.

On motion of Mr. Whittington the majority report of the joint standing committee on the Penitentiary was taken up.

On motion of Mr. Leslie the minority report of said committee was taken up.

On motion of Mr. Carroll the House resolved itself into a committee of the whole upon the consideration of said reports.

Mr. Fletcher in the Chair.

The committee after sitting some time arose, report progress, and asked leave to sit again on Wednesday, next.

On motion of Mr. Tebbetts said report was adopted.

Mr. Tappan gave notice that he would on to-morrow introduce a bill to change the forms of pleading in the circuit courts.

On motion of Mr. Trapnall the Speaker was authorized to invite Professor Byrne Lawrence to address the House on Geology.

On Motion of Mr. Carroll the House adjourned.

T. B. FLOURNOY, *Speaker.*

TUESDAY, DEC. 17, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

On motion of Mr. Hardin leave of absence was granted to Mr. Stuart of Green.

On motion of Mr. Tebbetts the House resolved itself into a committee of the whole for the purpose of taking into consideration House bills No. 93, 113, and 160, relative to the distribution of the proceeds of the 500,000 acres of land donated to the State of Arkansas, which had been referred to the committee of the whole and made the special orders for this day.

Mr. Fletcher in the Chair.

The committee after sitting some time arose and made the following

REPORT.

Mr. Speaker:

The committee of the whole to whom was committed House bills No's. 93, 113, and 160 relative to the Internal Improvement fund have had the same under consideration and have instructed me to report favorably to House bill No. 93, to be entitled an act to amend an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvements, and recommend its passage, and ask to be discharged from the further consideration of House bill No. 113, to be entitled an act supplementary to the distribution act, approved, 30th Dec., 1848, and House bill No. 160, to be entitled an act to repeal an act distributing the 500,000 acre fund, which became a law 30th Dec. 1848.

All of which are respectfully submitted.

FLETCHER, Ch'n.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 95, to be entitled an act to change the name of Mary Jane Harrell and Mary Eliza Harrell.

Which is herewith returned.

The Senate have passed bill No 68, to be entitled an act for the more effectual collection of the revenue on lands in Hempstead county.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have adopted the following resolutions:

Resolved by the General Assembly of the State of Arkansas, That our warm and cordial approbation be and the same is hereby extended to our delegation in Congress, for all that part of their public and official conduct which had for its object the sustenance of the rights of the south against the aggressive legislation and spirit of the late Congress of the United States.

2d. That the Governor be requested to enclose a copy of this resolution to each of our delegation in Congress.

Which are herewith transmitted and the concurrence of the House of Reresentatives.

J. M. ROSS,
Sec'y of Senate.

On motion of Mr. Fletcher the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

WEDNESDAY, Dec., 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Emerson present the petition of sundry citizens praying an act of incorporation for the town of Hot Springs.

Which, on motion of Mr. Emerson was referred to a select committee, consisting of

Messrs. Emerson, James, and Wills.

Mr. Coldwell was called to the chair.

Mr. Stewart of Green presented a report from the internal improvement commissioners of Green county.

Which, on motion of Mr. Stewart of Green was referred to the committee on internal improvement.

Reports from standing committees were in order.

Mr. Fletcher from the committee on ways and means to whom was referred House bill No. 40 to be entitled an act to amend the revenue laws of this State, reported the same back to the House and recommended its passage.

On motion of Mr Fletcher the bill was ordered to be engrossed for a third reading to morrow.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendments of the House to the resolutions of the Senate tendering the thanks of this General Assembly to Captain

Wood and Capt. Enyart for their gallant bearing in the late war with Mexico.

The Senate have adopted a resolution requiring the Secretary of State to cause to be published in all the newspapers of this State the act at this session of the General Assembly changing the mode of voting.

Which is herewith transmitted for the concurrence of the House of Representatives.

The Senate have passed a bill to be entitled an act to amend an act entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for internal improvements.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have assented to House bill No. 18 to be entitled an act to amend the 23d section of chapter 145 of the late Revised Statutes on schools and school lands.

Which is herewith returned.

J. M. ROSS, Sec'ry of Senate.

Mr. Speaker,

I have the honor to present for your honor's signature an act amendatory of an act allowing sheriff's additional compensation.

Also an act to legalize the sale of the 16th sec. T. 15 N. R. 24 W. in Madison county.

Also an act to incorporate the Independent Order of Odd Fellows of the State of Arkansas.

Also an act for the relief of the citizens of Arkansas county.

Also a resolution requesting our Senators and Representative in Congress to use their influence to have a weekly mail route established from Princeton in Dallas county to Eldorado in Union county.

Also a resolution tendering the thanks of this General Assembly to Capt. Allen Wood and Capt. Stephen Enyart for their distinguished services in the late war with Mexico.

Also a resolution instructing our Senators and requesting our Representative in Congress to use their influence to have the bounty land law so extended as to include within its provisions the troops from Arkansas called into the service of the United States in 1836 by Gen. Gaines.

Also a resolution rescinding in part a resolution adopted in 1848 requiring the Secretary of State to have possession of the west wing of the calitol.

JOHN M ROSS,
Secretary of the Sena te

Mr. Fletcher from the committee on ways and means to whom was referred House bill No. 138 to be entitled an act to create the office of enrolling clerk to the House of Representatives, reported the bill back to the House without amendment, and recommended its passage.

On motion of Mr. Fletcher the rules were dispensed with, and the bill was read a third time and passed.

Mr. Fletcher from the committee on ways and means, to whom was referred Senate bill No. 47 to be entitled an act to provide for the printing of the Governors message and the making and printing of the reports of the different State officers reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Fletcher the rules were dispensed with and the bill was read a 3d time and passed.

Mr. Fletcher from the committee on ways and means to whom was referred House bill No. 111, to be entitled an act to exempt certain persons from paying a poll tax, reported the same back to the House and recommended its rejection.

Which reported was adopted and the bill rejected.

Mr. Speaker re umed the chair.

Mr. Eation from the committee on militia to whom was referred Senate bill No. 46, to be entitled an act to pay certain militia called into service by Gen. Allen Wood under instructions of the Governor of the State to restore the supremacy of the laws, and to suppress insurrectionary movements in Marion county, in the months of Sept. Oct. Nov. and Dec. 1849, reported the same back to the house with the following amendments,

Ist. strike out 97 and insert 37 in the 24th and 25th lines of the 2d section; 2nd, amend the 6th section thus wherever dollars are mentioned in this section, strike off one third of said amounts to officers and privates, and recommended the passage of the bill as amended.

Mr. Eaton moved the adoption of 1st amendment.

Which was adopted.

The question then arose upon the adoption of the 2nd amendment.

*M*r. Stuart of Green, called for the ayes and noes, which call was sustained and the roll was called.

Those members who voted in the affirmative, are

*M*essrs Billingsley, Bradley, Brewton, Coldwell, Chandler, Dodd, Eaton, Embry, Gordon, Harris, Kinsworthy, Leslie, Lafferty *M*cIlroy, Pyburn, Rosson, Stuart of Green, Sissel, Simpson, Tobey, and Wills—21.

Those members who voted in the negative, are

*M*essrs Anderson, Armstrong, Ayers, Baker, Basham, Blakemore, Carroll, Cauthron, Cline, Denton, Dodson, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gilmer, Hardin, Imboden, Jackson, James, Johnson, Mitchell, McRae, Murph, *M*orton, Nettles, Patrick, Preston, Rogers Russell, Singleton, Steward of Crawford, Sevier, Sadler, Trimble, Trapnall, Tappan, Tebbetts, Walker, Witherspoon, Whittington, and Mr. Speaker—46.

So the amendment was rejected.

On motion of Mr. Dodson, the rules were dispensed with and the bill was read a third time.

The question then arose upon the passage of the bill.

Mr. Johnson called for the ayes and noes, which was sustained and the roll was called.

Those members who voted in the affirmative are

Messrs. Anderson, Armstrong, Ayres, Bailey, Baker, Basham, Billingsley, Blakemore, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hardin, Harris, Inboden, Jackson, James, Johnson, Kinsworthy, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Simpson, Yochum and Mr. Speaker—62.

Those members voting in the negative, are,

Messrs. Bradley, Brewton, Leslie, Lafferty, Rosson, and Simpson—6.

So the bill was passed.

Mr. Tappan made the following

REPORT:

Mr Speaker,

The committee on enrollments have examined an act for the relief of Joseph Loupe.

Also an act to authorize the clerk of the circuit court, of the county of Fulton to transcribe certain records of his office.

Also an act to change the time of holding the spring and fall terms of the county court of Ouachita county.

Also an act to change the name of Mary Jane Harrell and Mary Eliza Harrell.

Also an act to change the time of holding the probate court of Independence county.

Also an act for the benefit of Andrew J. Roberts.

Also an act to incorporate the Tulip Female Collegiate Seminary.

Also an act to incorporate the town of Ozark, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred sundry bills in relation to summoning petit jurors reported to the House a substitute for the same to be entitled an act to change the mode of summoning petit jurors as prescribed in Revised Statutes chapter 94 in sections 9, 10, 11, 12, 13, 14, and 15, and recommended is adoption.

Which report was adopted and the substitute read a 1st time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2d time and ordered to lay on the table for the present.

Mr. Trapnall from the committee to whom was referred House bill to be entitled an act fixing the time for the election of Representatives in Congress, judges of the circuit and probate, courts and prosecuting attorneys, reported back to the House a substitute entitled as above, and recommended its adoption.

Which report was adopted and the substitute was read a 1st time.

On motion of Mr. Trapnall the rules were suspended and the bill was read a 2nd time.

On motion of Mr. Fletcher 100 copies of said bill was ordered to be printed for the use of the House.

Mr. Foreste was called to the chair.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 175, to be entitled an act to encourage emigration into this State, report the same to the House unfavorably and recommend its rejection.

On motion of Mr. Walker the bill was laid on the table for the present.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No. 58 to be entitled an act to provide for the payment of costs accruing in the prosecution of certain suits by the State, reported the same back to the House with an amendment and recommended its passage.

Which report and amendment was adopted.

On motion of Mr. Trapnall the rules were dispensed with and the bill as amended,

Was read a 3d time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No. 92 to be entitled an act concerning chaplains of the General Assembly, reported back to the House a substitute for the bill to be entitled an act to create the office of chaplain, and recommended its adoption.

Which report was adopted and the substitute was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2d and 3d time and passed.

The question then arose on the final passage of the bill,

Mr. Chandler called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs Adams, Anderson, Armstrong, Bailey, Baker, Billingsley, Blakemore, Brewton, Coldwell, Cline, Denton, Eaton, Emerson, Fletcher, Gilmer, Greene, Harris. James, Mitchell, McRae, Murph, Nettles, Patrick, Preston, Pyburn, Rosson, Singleton Stuart of Green, Trimble, Tappan, Trapnall, Tebbetts, Witherspoon, Whittington, Woodward, Wills, Wilson and Mr. Speaker—38.

Those members voting in the negative, are,

Messrs Ayers, Basham, Carroll, Cauthron, Chandler, Dodson, Dodd, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Imboden, Jackson, Johnson, Kinsworthy, Leslie, Lafferty *Mc*Ilroy, *M*orton, Rogers, Russell, Steward of Crawford, Sissel, Sevier, Simpson, Sadler, Tobey, Walker, Watson and Yochum—32.

So said bill was passed.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill 176, to be entitled an act concerning the election of county Judges reported the same back to the House, favorably and recommended its passage.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No. 51, to be entitled an act to authorize the Judges of the probate courts in different counties to issue writs of election in certain cases, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Senate bill No. 69, to be entitled an act to amend an act entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement, was taken up and read a 1st time.

On motion of Mr. Cline the rules were dispensed with and the bill was read a 2nd time.

Mr. Preston moved to amend the bill by striking out all after the enacting clause, and inserting the following, to wit:

Sec. 1. *Be it enacted by the General Assembly of the State of Arkansas*, That the act which became a law the 30th day of Dec., A. D. 1848, entitled an act distributing the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement be and the same is hereby repealed:

Sec. 2. *Be it further enacted*, That this act shall take effect and be in force from and after its passage.

Mr. Preston called for the ayes and noes, on said motion which call was sustained, and the roll called.

Those members who voted in the affirmative are,

Messrs. Armstrong, Bailey, Carroll, Coldwell, Eaton, Embry, Fletcher, Greene, Kinsworthy, McRea, Murph, Patrick, Preston, Pyburn, Sissel, Tappan, Trapnall, Woodward, and Watson—19:

Those members who voted in the negative are,

Messrs. Adams, Anderson, Ayres, Baker, Basham, Billingsley, Blakemore, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Gordon, Gilmer, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Mitchell, McIlroy, Morton, Nettles, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stewart of Green, Sevier, Simpson, Sadler, Trimble, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Wilson, Yochum and Mr. Speaker—51.

So the motion to amend was lost.

Mr. Trapnall moved an adjournment, which was lost.

Mr. Coldwell moved to strike out all after the enacting clause of said bill and insert the followingt to wit:

Be it enacted by the General Assembly of the State of Arkansas, That wherever each and any county in this State shall have received of its distributive portion the maximum amount now received by any county in this State by virtue of an act entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvements, approved 30th Dec. 1848, then all further distribution under said act shall be suspended until the end of the next session of the General assembly.

Sec. 2. That the Treasurer of this State shall proceed to the payment to each county in this State the destributive portion of said fund necessary to make each county equal to the maximum amount already received by any county in this State, paying the same over on the draft of the Treasurer of each county respectively and the certified order of the county court of the proper counties empowering such Treasurer to receive said distribution of said fund.

Sec. 3. After the passage of this act, the county having already received the maximum distribution of said fund shall receive no further distribution thereof, until each and every other county in this State has received an equal amount, and thereafter no further payments or distribution of said fund shall be made until the end of the next session of the General Assembly of this State.

Sec. 4. That the moneys so received by said county treasurers shall be held by them subject to the disposition of the county court of the respective counties who may be majority of all the justices including the presiding judge concurring, appropriat and itself disburse the same in such a manner as it may provide to ojects of Internal Improvement.

Sec. 5. That in case the county courts of those counties yet to receive their pro rata dividend, shall deem it best, it shall be lawful for them to order the election of one Internal Improvement commissioner at such time and places, and on such notice as they may deem proper and such commissioner when duly qualified shall be clothed with all the powers and shall perform the duties prescribed by the original act.

Sec. 6. That when the county courts shall appropriate the funds through their agent or agents or when the commissioner elect shall do the same in either case such compensation only shall be received as shall be established by said county court and payable as they shall order.

Sec. 7. That in every case the said commissioner and county treasurer shall give bond payable to the State in double the amount likely to come into their hands for the faithful discharge of their respective duties and which bonds approved by the presiding judge of said county court shall be filed in the office of the clerk of said court.

Sec. 8. That it shall be the duty of the board of commissioners when they have been organized in any county, or the one commissioner that may be elected under this act, or their respective county courts when they shall manage the funds of themselves to report to the next General Assembly circumstantially and in detail in what manner the monies received under this or said former act, have been disposed of, and the expenses of the disposal of the same, on failure of any such commissioner or commissioners or county court to furnish such report, no further distribution shall be madeunder the original act to the county from which no such report is made.

Mr. Bailey moved to lay the bill on the table for the present.

Which motion did not prevail.

Mr. Coldwell called for the ayes and noes on the amendment offered by him which was sustained and the roll called.

Those members voting in the affirmative are.

Messrs Bailey, Carroll, Coldwell, Eaton, Embry, Greene, McRae, Murph, Patrick, Preston, Pyburn, Sissel, Tappan, Trapnall, Tobey, Woodward, Watson, and Mr. Speaker—18.

Those voting in the negative are,

Messrs Adams, Anderson, Armstrong, Ayers, Baker, Bassham, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hardin, Harris, Imboden, Jackson, James, Leslie, Lafferty, Mitchell, McIlroy, Morton, Nettles, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tebbetts, Walker, Whittington, Witherspoon, Wills, Wilson and Yochum—50.

So the amendment was not adopted.

Mr. Patrick offered to amend by adding the following section.

Be it further enacted, That the sum of $50,000 is hereby appropriated for the improvement of the military road from the mississippi river, opposite the city of Memphis to Strongs place in the county of St. Francis, but said sum shall not be paid until each county has drawn from the Treasury, the amount already coming to her so that every county may have received its proportion of the said fund and put on an equality with those counties which have drawn their quota, which said sum shall be paid to the commissioners of Crittenden and St. Francis counties and shall be laid out by them on said road as now provided by law.

Mr. Sevier offered the following amendment to the amendment, amend by giving Lafayette county 30,000 for the purpose of constructing a road from the Sulphur fork ferry on Red river, to Nick Clark's or on the Ouachita county line.

Mr. Foreste moved to reject the amendment to the amendment.

Which motion did not prevail.

On motion of Mr. Nettles the vote on the amendment to the amendment was reconsidered.

Mr Tobey moved an adjournment which was lost.

The question then arose upon Mr. Foreste's motion to reject the amendment to the amendment.

Mr. Trapnall called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs Adams, Anderson, Armstroug, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Dodson, Denton, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Simpson, Saddler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Wilson, Yochum, and Mr. Speaker—67.

The member who voted in the negative was

Mr. Sevier.

So the amendment to the amendment was rejected.

Mr. Eaton moved an adjournment, which was lost.

Mr. Foreste moved to reject Mr. Patrick's amendment.

Mr. Patrick called for the ayes and noes, which was sustained and the roll was called.

Those members who voted in the affirmative are,

Messrs Adams Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Blakemore, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Ferguson, Farmer, Foreste, Gordon, Gilmer, Hardin, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell McIlroy, Morton, Nettles, Rogers, Russell, Singleton, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tebbetts, Walker, Witherspoon, Whittington, Woodward, Wills, Watson, Wilson, Yochum and Speaker—54.

Those members who voted in the negative are,

Messrs Bradley, Carroll, Coldwell, Embry, Fletcher, Greene, Harris, Patrick, Preston, Pyburn, Sissel, Tappan, Trapnall and Tobey —14.

So the amendment was rejected.

Mr. Witherspoon moved an adjournment.

Which was lost.

Mr. Eaton offered the following amendment,

After section 11 add this section, that $100,000 of this Internal Improvement fund be appropriated out of said fund to build a respectable Penitentiary in this State.

Mr. Foreste moved to reject the amendmentr

Mr. Eaton called for the ayes and noes which was sustained and the roll was called.

Those members who voted in the affirmative are,

Messrs Anderson, Ayers, Baker, Basham, Billingsley, Blakemore, Brewton, Carroll, Coldwell, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Patrick, Preston, Rogers, Russell, Rosson, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Wilson, Yochum, and Mr. Speaker—59.

Those members who voted in the negative are,

Messrs Armstrony, Bradley, Eaton, Embry, Kinsworthy, McRae, Murph, Pyburn, Singleton, Sissel, and Watson—11.

So the amendment was rejected.

Mr. Woodward moved an adjournment,

Which was lost.

On motion of Mr. Tebbetts the rules were dispensed with, and the bill read a third time.

Mr. Sadler called for the ayes and noes which was sustained and the roll called.

Those members voting in the affirmative, are,

Messrs Anderson, Ayers, Baker, Basham, Billingsley, Blakemore, Brewton, Coldwell, Cauthrron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gordan, Gilmer, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Preston, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Wilson, Yochum, and Mr. Speaker—56.

Those members who voted in the negative are

Messrs, Armstrong, Bailey, Bradley, Carroll, Eaton, Embry, Greene, Kinsworthy, McRae, Murph, Patrick, Pyburn, Trapnall, and Woodward—14.

So the bill was passed.

On motion of Mr. Nettles the House adjourned.

T. B. FLOURNOY,
Speaker of the House

THURSDAY, DEC. 19th, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

Reports from standing commitees were in order.

Mr. Speaker laid before the house the poll books and ballots of Monroe county, concerning the election of Mr. Pyburn, which were on motion of Mr. Coldwell laid on the table indifinitely.

Mr. Coldwell from the committee on education, to whom was referred House bill No. 123, to be entitled an act to amend the 145th chapter of the Digert of the Statutes under the head of schools and school lands, reported the same back to the House and recommended its rejection.

On motion of Mr. Tebbetts the bill was laid on the table indefinitely.

Mr. Bailey was called to the chair.

The following message was received from the Senate by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have concurred in the amendment of the House to Senate bill No. 46, to be entitled an act to pay certain militia called into service by Gen. Allen Wood under instructions by the Governor of the State to restore the supremacy of the laws and to suppress insurectionary movements in Marion county, in the months of September, October, November, and December, 1849.

The Senate have assented to House bill No. 32 to be entitled an act to amend the 4th chapter of the Revised Statutes, with one amendment thereto, in which the concurrence of the House of Representatives is respectfully asked.

Also to House bill No. 161, to be entitled an act to grant a charter to Ezekial Kinsworthy, to make a turnpike or plank road through the Little Missouri bottom, with four amendments thereto, in which the concurrence of the House of Representatives is respectfully asked.

All of Which is herewith returned.

The Senate have passed bill No. 100, to be entitled an act to change the time of holding the special term of the county court of Madison county.

Also an act to grant George F. Sheppard a charter to make a turnpike or coal road in the county of Hempstead.

All of which are herewith transmitted for the assent of the House of Representatives.

I have the honor to present for your honor's signature an act to pay certain militia called into service by Gen. Allen Wood under instructions of the governor of the State to restore the supremacy of the laws and to suppress insurrectionary movements in Marion county in the months of September, October, November and December, 1849.

Also an act, to amend an act, entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State for Internal Improvement.

JOHN M. ROSS,
Sec'y of the Senate.

The following communication was received by M. L. Bell, Esq., private sec'y to the Governor.

Mr. Speaker,

I am instructed to inform your honorable body that the Governor has approved and signed an act for the relief of Isaac Russell, William Russell and John L. Huston.

Also an act to incorporate the town of Lewisville.

Also an to incorporate the Arkansas Military Institute.

Also an act to exempt the citizens of McCool township in Perry county from serving on grand and petit juries at the spring terms of the circuit court of said county.

Also an act to change the name of Middleton Hathcock and others of his family.

Also an act to change the time of holding the probate and county courts of Poinseett and St. Francis counties.

Also a resoluton of instruction to the joint committee on banks in relation to the five per cent fund.

Also an act to authorize the clerk of the circuit court of the county of Fulton to transcribe certain records of his office.

Also an act to change the time of holding the probate court of Independence county.

Also an act to incorporate the Tulip Female Collegiate Seminary.

Also an act for the relief of Joseph Loupe.

Also an act to change the name of Mary Jane Harrell and Mary Eliza Harrell.

Also an act to change the time of holding the spring and fall terms of the county court of the county of Ouachita.

Also an act for the benefit of Andrew J. Roberts.

Also an act to incorporate the town of Ozark.

M. L. BELL,
Private Secretary.

Reports from select committees were in order.

Mr. Tebbetts made the following report:

Mr. Speaker—

The select committee to whom was referred the petition of Andrew Buchanan and other citizens of Washington county, have had the same under contideration, and have instructed me to report the accompanying bill to be entitled an act to incorporate the Cane Hill Collegiate Institute, and recommend its passage.

TEBBETTS, Chairman.

Which bill was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with, and the bill was read a 2d and 3d time and passed.

Mr. Rosson made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred the petition of Geo. H. Morton have had the same under consideration and have instructed me to report the accompanying bill to be entitled an act authorizing G. H. Morton of Izard county to change the military road running by his house, and recommend its passage.

ROSSON, Chairman.

Which bill was read a first time.

On motion of Mr. Rosson the rules were dispensed with, the bill was read a 2nd and 3d time and passed.

Mr. Emerson made the following

REPORT·

Mr. Speaker—

The select committee to whom was referred the petition of sundry citizens of Hot Springs have had the same under consideration, and have instructed me to report the accompanying bill to be entitled an ect to incorporate the town of Hot Springs, and recommended its passage.

EMERSON, Chairman.

On motion of Mr. Emerson the rules were dispensed with and the bill read a 2nd and 3rd time and passed.

Mr. Trapnall from the seleet committee to whom was referred the petition of Kaleb Mills, reported a bill to be entitled an act for the relief of Kaleb Mills, and recommended its passage.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2nd and 3rd time and passed.

Mr. Tappan introduced a bill to be entitled an act to change the forms of pleading in the circuit courts.

Which was read a 1st time.

On motion 100 copies of said bill were ordered to be priented for the use of the House.

Mr. Chandler introduced a bill to be entitled an act for the redemption of the county scrip of Benton county now at interest.

Which was read a first time.

On motion of Mr. Chandler the rules were dispensed with and the bill was read a 2nd time.

And on motion of Mr. Whittington the rules were again dispensed with and the bill was read a 3rd time and passed.

Mr. Ferguson introduced a bill to be entitled an act to provide for the establishment of poor houses.

Which was read a first time.

On motion of Mr. Ferguson the rules were suspended and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Morton asked and obtained leave of absence for Mr. Moore.

Mr. Stuart of Green introduced a bill to be entitled an act to amend the 15th section part 3 of chapter 95 of the Digest of the Statutes of this State.

Which was read a first time.

On motion of Mr. Stuart of Green, the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Mr. Pyburn introduced a joint resolution instructing our Senators and requesting our Representative in Congress to use their influcnce to procure the reestablisement of the mail line from Napoleon by way of Reagan's Bluff to Little Rock, to be carried dailey.

On motion of Mr. Preston, the rules were dispensed with and the resolution was read a 2nd and 3rd time and adopted.

Mr. Fletcher introduced the following resolution.

Resolved, That the Land Attorney and State Collector report to this House the amount of all monies collected by him on account of the Seminary and Internal Improvement funds, since the last adjournment of this General Assembly, setting out fully and in detail the names of the persons from whom collections have been made, the amount collected from each, the time when, and on what account.

Which was adopted.

Mr. Foreste introduced the following resolution:

Resolved, That the House hold evening sessions after this day during the present session.

Which was laid on the table for the present.

Mr. James introduced a joint resolution instructing our Senators and requesting our Representative in Congress to procare the carrying of the mails from Napoleon to Pine Bluffs in mail steamers, six times a week so as to connect with stages to Hot Springs and Fulton.

Which was read a first time.

On motion of Mr. James the rules were dispensed with and the resolution was read a 2nd and 3rd time and adopted.

On motion of Mr. Foreste the House resolved itself into a committee of the whole House for the purpose of considering the joint resolutions on Federal Relations which had been made the special order of the day for to-day.

Mr. Carroll in the chair.

The committee after setting some time and through its chairman reported progress and asked leave to sit again on Monday next.

Which report was adopted.

On motion of Mr. Bailey the House adjourned.

T. B. FLOURNOY, Speaker.

FRIDAY, Dec. 20th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr Patrick asked and obtained leave of absence for Mr. Coldwell.

Reports from the standing committees were in order.

Mr. Tobey from the committee on counties and oounty lines, to whom was referred the petition of sundry citizens of Lawrence county asking to be attached to Fulton county, reported adversely to the prayers of said petitioners.

Which report was adopted.

Mr. Adams from the committee on counties and county lines made the following

REPORT:

Mr. Speaker:

The standing committee on counties and county lines to whom was referred the petition of A. G. Underwood and other citizens of Pope and Yell eounties praying that Dardanell township in Pope county lying south of the Arkansas river, be added to the county of Yell have had the same under consideration, and a majority of said committee have instructed me to report adversely to the prayor of the petitioners on the ground that to take said township from Pope county would reduce it to a number of square miles less than the limits required by the constitution.

The committee therefore recommend that the prayer of said petitioners be not granted and that they be discharged from the further consideration of the subject;

Which report was on motion of Mr. Nettles, laid on the table for the present.

Mr. Adams from the committee on counties and county lines made the following

REPORT:

Mr Speaker:

The Standing committee on counties and county lines to whom was referred the petition of J. W. Comstock and other citizens of Conway county, praying that a certain portion of territory lying west of range seventeen, belonging to said county of conway be added to the county of Pope, have had the same under consideration and a majority of said committee would respectfully recommend that the prayer of said petitioners be not granted.

Which report on motion of Mr. Nettles was laid on the table for the present.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The committee on internal improvement to whom was referred the petition of Jonathan Hardin of Crawford county have had thesame under consideration and have instructed me to report the accompanying bill to be entitled an act to grant Jonathan Hardin of Conway county a charter to construct a turnpike road and recommend its passage.

TEBBETTS, Ch'n.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a second time.

Mr. Trapnall offered to amend by adding to the 3d section the following: "and that no road shall hereafter be opened and established within two miles of this road and running parallel to it."

Which amendment was adopted.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a third time and passed.

Mr. Foreste was called to the chair.

The following message from the Senate was received by the Secretary.

Mr. Speaker—

I am instructed to inform your honorable body that the Senate have concurred in the amendment of the House of Representatives to Senate bill No 58 to be entitled an act to provide for the payment of costs accruing in the prosecution of certain cases by the State.

The Senate have assented to House bill No. 138, to be entitled an act to create the office of enrolling clerk to the House of Representatives.

Which is herewith returned.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Tebbetts from the committee on Internal Improvement reported House bill No. 52 to be entitled an act amendatory of an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvement, unfavorably and recommended its rejection.

Which report was adopted and the bill rejected.

Reports from select committees were in order.

Mr. Witherspoon from the select committee to whom was referred the petition of Charlotte Prince reported back to the House a bill to be entitled an act for the benefit of Charlotte Prince of Jackson county, and recommended its passage.

Which was read a first time.

On motion of Mr. Witherspoon the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Imboden from the select committee to whom was referred the petition of Andrew Brige, reported to the house a bill to be entitled an act for the benefit of Andrew Brige of Lawrence county, and recommended its passage.

Which was read a first time.

On motion of Mr. Witherspoon the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Harris introduced a bill to be entitled an act to grant a charter to George W. Robertson and Blake Little for the purpose of erecting toll bridges on the Batesville road, across l'Anguille river, Brushy Lake, Forked slough and Bayou De Vue, in Poinsett county, Arkansas.

Which was read a first time.

On motion of Mr. Harris the rules were suspeneed and the bill was read a second time and referred to the committee on Internal improvements.

Mr. Sissel introduced a bill to be entitled an act to grant a charter to Burton H. Kinsworthy for the purpose of making a turnpike or plank road through the Walnut Bayou bottom and to bridge or keep a ferry across said Walnut Bayou.

Which was read a first time.

On motion of Mr. Sissel the rules were dispensed with and the bill was read a second time and referred to the committee on Internal Improvements.

Mr. Eaton introduced a bill to be entitled an act to amend the second section of chapter 139, under the head of revenue.

Which was read a first time.

On motion of Mr. Eaton the rules were dispensed with and the bill was read a second time and referred to the select committee on ways and means.

Mr. Watson introduced a bill to be entitled an act to incorporate the town of El Dorado.

Which was read a first time.

On motion of Mr. Watson the rules were dispensed with and the bill was read a second time, and on motion of Mr. Murph, referred to a select committee consisting of Messrs. Murph, Watson and Trapnall.

Mr. Fletcher introduced a bill to be entitled an act to call in the scrip of Mississippi county.

Which was read a first time.

On motion of Mr. Fletcher the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Cauthron introduced a bill to be entitled an act to amend chapter 65, of the Revised Statutes under the head of estrays.

Which was read a first time and ordered to a second reading on to-morrow.

Mr. Gilmer introduced a bill to be entitled an act to change the name of Martha Roanna Weeks, to the name of Martha Rosanna Cannon, and to constitute her a lawful heir of Robert W. Cannon.

Which was read a first time.

On motion of Mr. Gilmer the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Harris introduced the following resolution:

Resolved, That leave of absence shall not be granted to members of this House without good cause first being shown, and any member leaving without such permission shall not receive pay for the time he is absent.

Which was adopted.

Mr. James introduced a bill to be entitled an act to amend an act entitled an act to incorporate the town of Pine Bluff.

Which was read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. James, Bailey and Carroll.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I have the honor to present for your Honor's signature an act to provide for the payment of costs accruing in the prosecution of certain suits by the State.

Also an act to provide for the printing of the Governor's message, and the making and printing of the reports of the different State officers.

JOHN M. ROSS
Sec'y of Senate.

On motion of Mr. Singleton House bill No. —, to be entitled an act for the benefit of Eleazer T. Wells of Chicot county, was taken up and read a third time and passed.

On motion of Mr. Adams the house resolved itself into a committee of the whole on the consideration of the majority and minority reports from the committee on the Penitentiary.

Mr. Fletcher in the Chair.

The committee after sitting some time arose and made the following

REPORT:

Mr. Speaker—

The committee of the whole House, to whom was referred the majority and minority reports of the committee on the Penitentiary have instructed me to report the following resolution.

Resolved, That the committee on the Penitentiary be and they are hereby instructen to bring in a bill for the building of a wall around and workshops in the Penitentiary, and also define the duties of all its officers, and provide for their strict accountability, and recommend its adoption.

FLETCHER, Ch'n.

On motion of Mr. Cline leave of absence was granted to Mr. Wilson.

On motion of Mr. Fletcher the House adjourned.

T. B. FLOURNOY, *Speaker*.

SATURDAY, Dec. 21, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Tappan made the following

REPORT:

Mr. Speaker.

The committee on enrollments have examined an act to amend the 23d section of chapter 145, of the late Revised Statutes of the State of Arkansas, on schools and school lands.

Also an act creating the office of enrolling clerk to the House of Representatives and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr. Patrick from the committee on education to whom was referred House bill No. 136, to be entitled an act to provide for the sale of the Salt Springs and lands thereto attached, and to appropriate the proceeds thereof to the support of common schools, reported the same back to the House without amendment and recommend its passage.

On motion of Mr. Fletcher it was ordered that 100 copies of said bill be printed for the use of the House.

Mr. Patrick from the committee on education to whom was referred Senate bill No. 71, to be entitled an act to unite the seminary and 16th section funds of Montgomery county in support of common schools, reported the same back to the House without amendment and recommended its passage.

Mr. Walker moved to amend by inserting Franklin county.

Which was adopted.

On motion of Mr. Tebbetts the bill was laid on the table till Monday.

Mr. Cline was called to the Chair.

Mr. Patrick from the committe on education to whom was referred House bill No. 108, to be entitled an act to blend all the school funds of Arkansas county in support of schools, reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Ferguson the rules were dispensed with and the bill read a third time and passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 82, to be entitled an act to incorporate Soulesberry college at Batesville Arkansas, with an amendment thereto in which your honorable body is respectfully asked to concur.

Also House bill No. 128, to be entitled an act to exempt Ozark Institute from taxation.

Also to House bill No. 181, to be entitled an act to incorporate the Cane Hill Collegiate Institute.

Also to House bill No. 184, to be entitled an act for the relief of Caleb Mills.

All of which are herewith returned.

The Senate refuse to assent to House bill 72, to be entitled an act to modify and amend section 108 of chapter 4, of the Digest of Arkansas.

The Senate have passed bill No. 24, to be entitled an act to repeal an act entitled an act respecting White river.

Also bill No. 102, to be entitled an act for the relief of James H. Crow.

Also bill No. 106, to be entitled an act to change the line between the counties of Conway and White.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Woodward from the select committee to whom was referred House bill No. 141, to be entitled an act to incorporate the Ouachita and Red River Plank road company, reported the same back to the House with sundry amendments and recommended its passage.

Which report was adopted.

On motion of Mr. Woodward the rules were dispensed with and the bill as amended was read a third time and passed.

On motion of Mr. Tappan House bill 185, to be entitled an act to change the forms of pleading in the circuit courts, was taken up and read a second time and referred to the committee on the judiciary.

On motion of Mr. Baker House bill No. 141, to be entitled an act to incorporate the Soulesberry College at Batesville Arkansas, was taken up and the Senates' amendment thereto concurred in.

Mr. Singleton introduced a bill to be entitled an act to exempt a homestead from execution or forced sale.

Which was read a first time.

On motion of Mr. Singleton the rules were dispensed with and the bill was read a second time.

Mr. Carroll moved to refer the bill to the committee on the judiciary.

Mr. Singleton called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Anderson, Armstrong, Ayers, Baker, Bassham, Billingsley, Blakeemore, Bradley, Brewton, Carroll, Cline, Dodson, Eaton, Emerson, Farmer, Foreste, Hart, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, McIlroy, McRae, Murph, Patrick, Preston, Pyburn, Steward of Crawford, Sadler, Tappan, Trapnall, Tebbetts, Walker, Witherspoon, Woodward, Wills, Watson, Yocum and Mr. Speaker—43.

Those members who voted in the negative, are

Messrs. Adams, Bailey, Cauthron, Chandler, Denton, Ferguson, Fletcher, Gordon, Gilmer, Greene, Hardin, Harris, Imboden, Mitchell, Morton, Nettles, Rogers, Russell, Rosson, Singleton, Stuart of

Green, Sissel, Sevier, Simpson, Trimble, Tobey and Whittington—27.

So the motion to refer was carried.

On motion of Mr. Armstrong the vote referring the above bill to the committee on the judiciary was re-considered

Mr. Armstrong moved to refer the bill to a select committe of five.

Mr. Speaker resumed the Chair.

Mr. Denton moved to lay the bill on the table indefinitely.

Mr. Sevier called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs Adams, Anderson, Ayers, Billingsley, Blakemore, Bradley, Cline, Denton, Dodson, Eaton, Foreste, Hardin, Imboden, Johnson, McIlroy, Russell, Rosson, Sadler, Tebbets, Walker, and Wills—21.

Those who voted in the negative, are

Messrs. Atkins, Armstron, Bailey, Baker, Bassham, Brewton, Carroll, Chandler, Emerson, Ferguson, Farmer, Fletcher, Gordon, Gilmer, Green, Hart, Harris, Jackson, Kinsworty, Leslie, Lafferty, Miller, Mitchell, McRea, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Singleton, Steward of Crawford, Stuart of Green, Sissell, Sevier, Simpson, Trimble, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Watson, Yochum and Mr. Speaker—48.

So the bill was not laid on the table indefinitely.

On motion of Mr. Preston the bill was referred to the committee on the judiciary.

Mr. Bailey was called to the Chair.

On motion of Mr. Sissel House bill No. 135, to be entitled an act to repeal 3d section of an act approved 3d March 1838, entitled an act appointing trustees for the town of Washington, was taken up and read a second time and referred to a select committee consisting of Messrs. Sissel, Watson and Green.

Mr. Speaker resumed the Chair.

On motion of Mr. Dodson the resolution instructing the committee on the Penitentiary to bring in a bill for the building of a wall around and work shops in the Penitentiary and defining the duties and providing for the strict accountability of all its officers, reported to the House on yesterday, from the committee of the whole House, and which was part of the unfinished business of yesterday, was taken up and read.

Mr. Ayres offered the following as a substitute for the resolution reported from the committee of the whole House.

Resolved, That provision be made by law for the future punishment of crime by a system of labor on the public works of the State, and that it be also provided that the Governor be authorized and required to offer the convicts now sentenced to labor and confinement in the Jail and Penitentiary house a commutation of such punishment by labor for the same, or a lesser period on the public works.

That all persons that may hereafter be convicted of crime under the existing laws and sentenced to labor and confinement in the Jeil and Penitentiary house shall have the right to claim a commutation thereof by labor on the public works and the judiciary committee be instructed to prepare and report the necessary bills at the earliest practicable period.

Mr. Trapnall moved to reject the resolution.

Mr. Leslie called for the ayes and noes on said motion.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Bailey, Baker, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Cline, Denton, Eaton, Emerson, Ferguson, Gordon, Green, Hart, Hardin, Harris, Imboden, Kinsworthy, Miller, McRea, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Sissel, Sevier, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Watson and Mr. Speaker—51.

Those members who voted in the negative, are

Messrs. Ayres, Bassham, Chandler, Dodson, Farmer, Foreste, Fletcher Gilmer, Jackson, Johnson, Leslie, Lafferty, McIlroy, Murph, Stuart of Green, Sadler and Yocum—17.

So the resolution offered as a substitute was rejected.

The qaestion then arose upon the adoption of the following resolution which was on yesterday reported from the committee of the whole House.

Resolved, That the committe on the Penitentiary be and they are hereby instructed to bring in a bill for the building a wall around and work-shops in the Penitentiary, and also to define the duties of all its officers and to provide for their strict accountobility.

Mr Sevier called for the ayes and noes, which was sustained and the roll called.

Those memders who voted in the affirmative, are

Messrs. Adams, Anderson, Armstrong, Bailey, Baker, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Cline, Denton, Emerson, Ferguson, Greene, Hart, Hardin, Harris, Imboden, Miller, McRea, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Watson and Mr. Speaker—46.

Those members who voted in the negative, are

Messrs. Atkins, Ayres, Bassham, Chandler, Dodson, Eaton, Farmer, Foreste, Fletcher, Gordon, Gilmer, Jackson, Johnson, Kinsworthy, Leslie, Lafferty, McIlroy, Murph, Sissel, Sevier, Sadler and Yochum—22.

So the resolution was adopted.

Mr. Tebbetts introduced the following resolution.

Resolved by the General Assembly of the State of Arkansas, That the two Houses of the General Assembly proceed to the election of Treasurer of this State at 11 o'clock on Tuesday next, in the Hall of the House of Representatives.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the resolution read a second and third time and adopted.

On motion of Mr. Adams the House adjourned.

T. B. FLOURNOY, *Speaker.*

MONDAY, Dec. 23d, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr Lee, Chaplain.

The journal of Saturday was read and approved.

On Motion of Mr. Bailey leave of absence was granted Mr. James.

Petitions from counties were in order.

Mr. Chandler presented the petition of James McDaniel, asking the legislature to pass an act authorizing the Land Agent to permit him to enter a certain portion of lands.

On motion of Mr Chandler the petition was referred to a select committee of Messrs. Chandler, Tebbetts and Harris.

Mr. Fletcher, with leave, presented a petition of Harrison D. Flowers, accompanied by a bill to be entitled an act for the relief of Elzado Jophine and Elizabeth Clemintine Sexton.

Which bill was read a first time.

On motion of Mr. Bradley the rules were suspensed and the bill read a second time and passed.

Reports from standing committees were in order.

Mr. Preston from the committee on memorials to whom was referred Senate resolution instructing our delegation in Congress to use their influence to procure the passage of an law by Congress appropriating the proceeds of the five sections of land around the Hot Springs to charitable purposes, reported the same back to the House and recommended its adoption.

On motion of Mr. Preston the rules were suspended, the resolution read a third time and concurred in.

Mr. Patrick was called to the Chair.

Mr. Whittington from the committee on tne Penitentiary made the following

REPORT:

Mr. Speaker:

The committee on the Penitentiary, to whom was referred the resolution instructing said committee to inquire into and report to this House, by what authority the paper belonging to the State Bank, was sold in 1847, to raise the sum of $10,000, appropriated to rebuild the Penitentiary. And what loss the State sustained by such proceeding.

"Also to inquire into and report to this House, what number of convicts in the Penitentiary, were pardoned by the Governor, from December 1, 1845, to the first day of February, 1849; and from the 1st day of January, 1847, to the 1st day of Feb'y, 1849; what amount was claimed by, and allowed to Mr. Brodie, keeper of the Penitentiary, for the convicts pardoned by the Governor," have had the same under consideration, and instructed me to make the following report:

That there was paid to George Brodie for re-building the Penitentiary, as per contract made with the Governor, $10,000; $9,500, of which sum was obtained by selling $37,710, in Real Estate Bank paper, previous to the 1st day of December, 1848. And the remaining sum of $500 was paid in scrip at its par value, February 28, 1849. Total loss to the State $27,710.

It appears that this paper was withdrawn by the State Treasurer, upon the orders of the Governor, from the State Bank, as a part of the 5 per cent. or Internal Improvement Fund, as so much reimbursed the Treasury from that fund. Section 1, of appropriation act, passed 10th of January, 1845, is referred to as authority for withdrawing from the Bank and selling this paper. By reference to that section it will be seen that the Financial Receiver was authorized to pay over, and the Treasurer authorized to receive, only the sum of $7,645, for the use of the State Treasury. Section 9, of the same act provides, "That from and after the first day of the present fiscal year, (1st of October, 1844,) no Bank bill or issue of any description whatever, of the Bank of the State of Arkansas, or its Branches, shall be paid out except what may hereafter be paid out under the provisions of this act, for liabilities incurred before the first day of the present fiscal year."

The act under which the Penitentiarywas re-built, was approved December 23d, 1846. Section 3, of that act appropriates

$10,000 in specie, or its equivalent, to be paid as other appropriatsons out of the State Treasury.

The committee know of no law other than that referred to above, giving any authority to sell Bank paper, for the purposes herein specified. And they are clearly of the opinion that the whole transaction was in direct violation of lew.

As regards the second inquiry made in the resolution, the committe have ascertained, from the register kept by the Secretary of State, that there has been pardoned by the Governor, from the first day of December, 1845, to the first of February, 1849, twenty-six convicts; and from the first of January, 1847, to the first of February, 1849, there were pardoned fifteen convicts.

Seventeen convicts were pardoned by the Governor, after the 23d of December, 1846, and during the time Mr. Brodie had the Penitentiary. For the wages of these seventeen convicts, Mr. Brodie received from the State $4,469 91. This amount was paid out of the appropriation made by act approved 10th January, 1849, "To reimburse the present keeper of the Penitentiary, for money and labor expended by him, for the benefit of the State, that were not required of him by his present contract."

Mr. Brodie's account for wages, of pardoned convicts, was examined and allowed by the inspectsrs of the Penitentiary, and paid upon the order of the Governor, as required by the act last referred to.

WHITTINGTON, *Chairman*
on the part of the House.

Which report was adopted.

On motion of Mr. Nettles it was ordered that 500 copies of the report be printed.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 84, to be entitled an act making certain appropriations, with an amendment thereto, in which your honorable body is respectfully asked to concur.

Also House bill No. 103, to be entitled an act to call in the scrip of Montgomery county.

Also to House bill No. 162, to be entitled an act to incorporate the town of Warren, with an amendment thereto, to which the concurrence of the House is respectfully asked.

All of which are herewith returned.

The Senate refuse to assent to House bill No. 129, to be entitled an act to change the term of holding the Supreme Court.

The Senate have passed bill No. 30, to be entitled an act to provide for the election of our Representative in the Congress of the United States and to change the time of holding other elections.

Also bill No. 58, to be entitled an act to provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States.

Also bill No. 105, to be entitled an act for the benefit of James Marshall of Searcy county.

All of which is herewith transmitted for the assent of the House of Representative.

JOHN M. ROSS.
Sec'y of Senate.

Mr. Witherspoon from the select committee, reported to the House a bill to be entitled an act to adjust the title and to provide for the sale of certain lands of the grant of 500,000 acres contracted for by persons who have proved insolvent or left the State without making any payment for said lands and other purposes, and recommended its passage.

Said bill was read a 1st time.

On motion of Mr. Witherspoon the rules were suspended, the bill read a 2nd time and referred to the committee on public lands.

On motion of Mr. Fletcher it was ordered that 100 copies of the bill be printed.

Mr. Sissell from the select committee to whom was referred House bill No. 153, to be entitled an act to repeal the 3d section of an act approved 3rd March, 1838, entitled an act appointing trustees for the town of Washington, reported the same back to the House and recommended its passage.

On motion of Mr. Sissell the rules were suspended, the bill read a 3d time and passed.

On motion of Mr. Fletcher Senate bill No. 53, to be entitled an act ta provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States, was taken up and read a 1st time.

On motion of Mr. Fletcher the rules were suspended and the bill read a 2nd time and referred to the committee on Leves and drains.

On motion of Mr. Bailey, House bill 162 to be entitled an act to incorporate the town of Warren was taken up and read, and Senate amendment thereto concurred in.

On motion of Mr. Sissell, House bill No. 161 to be entitled an act to grant a charter to E. Kinsworthy to construct a turnpike or plank road through Little Missouri bottom was taken up and Senate amendment thereto concurred in.

On motion of Mr. Stewart of Green, House bill No. 71 to be entitled an act to change the time of holding the probate court of Green county, was taken up and read a 2nd time.

On motion of Mr. Stewart of Green, the rules were suspended, the bill read a 3d time and passed.

On motion of Mr. Trapnall, House bill to be entitled an act to grant a charter to Wm. F. S. Barkman to erect a toll bridge on the Bayou de Roche, was taken up and read a third time and passed.

On motion of *Mr.* Nettles the House resolved itself into a committee of the whole, on consideration of the joint resolutions on federal relations.

Mr. Carroll in the chair.

The committee after setting some time arose, reported progress and asked leave to sit again.

On motion of Mr. Lafferty the House adjourned.

T. B. FLOURNOY, Speaker.

TUESDAY, *December* 24, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Sissell presented the petition of John L. Eader praying for the passage of a special act authorizing Henry J. Bornes, a minor, to manage his estate and transact business for himself.

On motion of Mr. Sissell, said petition was referred to the committee on the judiciary.

Mr. Sissel presented the petition of Levac Unrferoege, praying for the rights of citizenship.

On motion of *Mr.* Sissell the petition was referred to the committee on the judiciary.

Reports from standing committees were in order.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 187, to be entitled an act to provide for Poor Houses, reported the same back to the House favorably.

On motion of *Mr.* Emerson the rules were suspended, and the bill read a 3d time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No. 55 to be entitled an act to alter the patrol law, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill 188, to be entitled an act to amend the 15th sec., part 3rd of chapter 95 of the Digest, reported the same back to the House unfavorably,

Which report was adopted and the bill rejected.

Mr. Blakemore was called to the chair.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill 233 concerning the exemption of a homestead from execution reported the same back to the House and recommended in the stead the adoption of a substitute entitled an act to exempt from sale on execution of the homestead of a householder having a family.

Mr. Singleton moved to reject the report and substitute.

Mr. Lafferty called for the ayes and noes on said substitute.

Which call was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs Atkins, Anderson, Armstrong, Ayers, Baker, Basham, Billingsley, Brewton, Carroll, Cauthron, Chandler, Cline, Dodson, Embry, Farmer, Forest, Fletcher, Gordon, Gilmer, Green, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Pyburn, Rogers, Russell, Rossin, Singleton, Steward of Crawford, Stuart of Green, Sissell, Sevier, Simpson, Sadler, Tebbetts, Tobey, Whittington, Wills, Yochum and Mr. Speaker—54.

Those who voted tn the negative are,

Messrs Baily, Blakemore, Denton, Dodd, Eaton, Emerson, Preston, Trimble, Tappan, Trapnall, Walker and Woodward—12.

So the substitute was rejected.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to house bill No. 71, to be entiiled an act to change the time of holding the Probate court of Green county.

Also house bill No. 56, to be entitled an act for the relief of Eleza T. Wells of Chicot county, Arkansas.

Also house bill No. 167, to be entitled an act to incorporate the board of trustees of the Little Rock Masonic and Odd Fellows Hall.

Also house bill No. 110 to be entitled an act to legalize the will of William Pescod deceased, with amendment thereto to which the concurrence of the house of Representative is respectfully asked.

The Senate have passed bill No. 110 to be entitled an act amendatory of the 139th chapter of the Digest.

Also bill No. 111, to be entitled an act to pay bank officers for the year 1850, arrearage due.

All of which are herewith transmitted for the approval of the house of Representatives.

The Senate have adopted a resolution instructing our Senators and requesting our Representative in Congress to co-operate with the delegation in Congress from Missouri, to procure an appropriation for cleaning out and rendering navigable the Neosha river, which is herewith transmitted for the concurrence of the House of Representatives.

The Senate have concurred in the resolution of the House of Representatives fixing Tuesday next, (to-day) at 11 o'clock to elect a State Treasurer with amendment thereto in which your honorable body is respectfully asked to concur,

Which is herewith returned.

JOHN M. ROSS.
Sec'y of Senate.

Mr. Trapnall from the committee on the judiciary, reported back to the House of Representatives certain amendments to the constitution relating to Poinsett and Green counties and recommended its passage.

Mr. Trapnall moved to reject the report, which was lost.

Mr. Speaker resumed the chair.

Mr. Chandler moved to amend by including Desha,

Which was adopted.

Mr. Sevier moved to amend by adding Lafayette county,

Which was adopted.

Mr. Lafferty moved to add Van Buren county,

Which was adopted.

On motion of Mr. Fletcher the amendment was ordered to be engrossed for its first formal reading on to-morrow.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to grant Ezekiel Kinsworthy a charter to make a turnpike or plank road through the little Missouri bottom.

Also an act to call in the scrip of Montgomery county.

Also an act to incorporate the Cane Hill Collegeate Institute.

Also an act for the relief of Caleb Mills.

Also an act to incorporate the town of Warren, Bradley county, Arkansas.

TAPPAN, Chairman.

Which report was adopted.

Mr. Whittington made the following

REPORT:

Mr Speaker,

The committee on the Penitentiary in compliance with a resolution of this House, requiring said committee to bring in a bill to build a wall around and workshops in the Penitentiary, have instructed me to report the accompanying bill to be entitled an act to provide for building a safe and durable wall around the the Penitentiary, proper work-shops and keeper's house and for the improvements of the Penitentiary system.

WHITTINGTON, Chairman on the part of the House.

Which was read a first time.

On motion of Mr. Whittington, the rules were suspended and the bill read a 2nd time and made the special order of the day, Friday next, and that 200 copies be printed for the use of the House.

Mr. Tebbetts made the following

REPORT:

Mr Speaker,

The committee on Internal Improvement have had under consideration Senate bill No. 50, to be entitled an act to amend the 14th chapter of the Digest of the Statutes of Arkansas, and under the head of Roads and Highways, and have instructed me to report the same back to the House with the following amendments and recommend its passage, to wit:

Amend 8th section by adding after the word "excuse," in the 14th line the following: and if his excuse for such delinquency shall be deemed sufficient, he shall upon papment of costs be excused.

Also amend the 9th section by adding, "and that this act take effect from its passage.

Which report was adopted.

TEBBETTS, Chairman.

Mr. Eaton made the following

REPORT:

Mr. President:

The joint committee, to whom was referred that part of the Governor's Message relating to Federal Acts and Policy, beg leave to report that they have examined the federal compact, by virtue of which the Federal Government received its existence from the several States acting in their sovereign capacity. They find the federal government rightfully possessed of many powers properly granted and plainly specified in the *Magna Charta* from which it receives its vitality. In the same chart, are also to be found provisions limiting the prerogatives of the Federal Government to the grants specially made, and reserving all the mass of rights to the original creators of the Constitution.

It was seriously apprehended that the restrictions placed upon the joint commission, or federal Government, would render it futile and impotent; that it would gradually decay from neglect and indifference, until, like the old confederations, would lose caste, name and place; that the States, by virtue of the large amount of powers, retained, would far out-stride the joint or federal commission, would win the smiles of courtiers, be wooed and flattered by wealth and power, whilst the Federal Government would be neglected and forgotten. Jealousy, however, that admirable body-guard of freedom foresaw, at an earley hour, in the federal compact, the germ of giant power and overshadowing influence. She pointed to certain general clauses in the grand chart, to the Army, the Navy, the vast pecuniary resources, then all in embryo, as insignia of royalty, and proclaimed her fears in sounds which still linger in our ears.

In accordance with these predictions, we see that the federal government has increased in strength and grown with each successive year, until it has absorbed all power, and clothed itself in colors more glowing than had ever been painted in fancy or dream.

Thus the Federal Government commencing its career as a joint commission on the part of thirteen sovereignties, has extended its influence, step by step, until its feet are placed upon the necks of the prostrate States, bestriding the Continent, and rearing a front more imposing than Imperial Rome, or that Mistress of the Seas, upon whose extended domain the sun never sets.

Your committee, in casting about them from the reasons which have operated to this result, find that they are numerous and active.

The casual observer will see that wealth and power are the chief agents which have stripped the States, of even a decent share of public respect, and clothed the joint commission with Imperial Purple.

In providing for the "common defence and general welfare," the Federal Commission has marshalled armies, constructed navies, and levied revenues, which have attracted the attention and combined the influence of "necessity," "avarice," and "ambition," in such admirable proportions as to make herself the chief object of regard, and constitute herself the hope and fear of every citizen, the awe of kingdoms, and the admiration of the world.

The States, bereft of power, down-trodden and neglected, wring, by direct taxation, from the reluctant citizen; meager means to replenish pennyless treasuries, and in moody silence and melancholy gloom do the drudgeries of government, whilst the Joint Commission lines, Oceans with revenue cutters, and studs the Continent with customhouses, and disburses liberal largess to flattering millions, and rejoices in the regalia of increasing strength and informal sway.

All these results have grown out of the exercise of powers more or less clearly granted by the Constitution to the Federal Government.

From the time the Federal Government went into operation, much difference of opinion has prevailed as to the extent of power conferred by the Federal Compact upon the Government. Some have industriously taught the doctrine that a liberal construction should be given to every article, so as to clothe the Federal Government with ample power to perpetuate its own existence and meet any and all emergencies. This opinion has been favored by some general clauses in the Constitution, which were engrafted therein the better to enable the Federal Government to execute its specified powers, but with no intention of conferring original jurisdiction of matter not specified in the enumerated powers. Yet the friends of broad construction have viewed these general clauses as independent articles, intended to enlarge the field of Federal Legislation and confer general jurisdiction upon the Federal Government. And so much has this opinion gained ground of late years, that many persons are to be found, in all parts of the country, who being but slightly read in international and constitutional law, as applied to the Union of these States, boldly assume the ground that these States constitute, in any and all respects but one Nation: and that the Federal Government is, in any and all respects, a National Government, possessed of plenary power, and that its action is to be measured only by its own "discretion," and its decrees obeyed by citizens and States alike without murmur or remedy, save by revolution alone. Others more wise and patriotic, have contended, with great zeal and energy, against this obnoxious doctrine, and pointed to the Constitution, and contemporaneous documents, the exposition of its founders; and have clearly illustrated the doctrine that the Federal Government was one of limited powers only; that all powers not enumerated in the Constitution, or necessary to carry into effect powers specially enumerated, were reserved respectively to the States and to the people; that the general clauses were designed only to be subsidiary to the special grants, and conferred no power save to effectuate the enumerated grants of power; that this construction alone could be tolerated: the former would concentrate all power in the Federal Government, destroy the sovereignty of the States, and all the rights which are held by the citizen under the constitutions and laws of the respective States, and draw within the sphere of Federal Legislation the tenure, by virtue of which we hold life, liberty and property. Such a consummation has been justly deprecated by our wisest and greatest statesmen, and should ever be held in utter detestation, especially in the southern States, whose rights to peculiar institutions would not survive the concentration of plenary power at Washington a single year.

It is, therefore, with no ordinary interest that your committee have traced the progress of the Federal Government, and noted its vigerous growth and increasing strength.

Jealous friends of liberty have, from time to time, noted its departure from its proper sphere, and its consequent encroachments upon the reserved rights of the States, and put forward their specifications in excellent essays and State papers, which have been preserved in the archives of the States in the forms of resolutions, protests, edicts and ordinaces. Ever and anon these ebullitions of independence and patriotism have stayed the hand of aggression, and returned the Federal Government to its own proper sphere of action.

Recently, however, much excitement has prevailed on account of the exercise of power by the General Government, which was not provided for in the Constitution. In the formation of the Federal Compact, no provision was made for the guidance of Congress in acquiring or disposing of foreign territory (excepting in case of the Canadas.) By virtue of the treaty of Gaudaloupe Hidalgo, the United States acquired a large amount of territory from Mexico. The States all, upon the requisition of the Federal Government, joined in all the measures which secured the cession of the territory. No rule being prescribed for the proper disposition of this territory by the Constitution, it was reasonable to suppose that a rule would be adopted in accordance with equity and justice, by virtue of which the slave-holding States would be admitted to the enjoyment of a portion of the property which they had united in acquiring. The acquisition belonged to all the States as copartners, and in as much as the institutions of some differed from others, some being slave-holding States and others not, it was impossible to admit the citizens of all the States to equal enjoyment of the acquired territory, except by allowing slavery to go into every part of the new territory. This rule would not exclude the citizens of non-slave-holding States, but the exclusion of African slavery was tantamount to the exclusion of the South from all interests in the new territory. So much prejudice prevails through many of the States against African slavery, that there was no possibility of making such a rule as would allow slave-holders to occupy in common with others, the whole of said territory. The only remaining rule of action was dictated by the law of partnership. The United States being a cluster of independent sovereignties, leagued together for special purposes, the South believed herself entitled to pro rata distribution of the newly acquired territory; and it is believed that each individual State had an interest in said territory, of which she could not be deprived except by the consent of that individual State so interested. Yet the Federal Government has boldly assumed all power in the premises, and disposed of the territory in question in such manner as virtually deprived the slave-holding States of all participation in its enjoyment.

The States have thus been deprived of rights in the premises, not by their consent, as the law of partnership would allow, but against their solemn protest entered and known; all this has been done by the Federal Government without any warrant of the Constitution and against the spirit of equity and justice.

Your committee are of opinion that under pretence of adjusting the boundary of Texas, in organizing the Territorial Governments of Utah and New Mexico, and in abolishing the slave trade in the District of Columbia, the Federal Government has manifested a spirit of aggression upon Southern rights against which it is believed this State should enter her solmn protest.

The extraordinary claim of power recently asserted at Washington, that the Federal Government had power to make war upon the State of Texas has been under the consideration of your committee, and they are of opinion that the Federal Government is the creature of the States and has been entrusted with the command of armies and navies to defend the States, and not for the purpose of making war on them. It is believed that the Federal Government was not expected to maintain the Union by force of arms; for if it were, and should be guilty of palpable violations of the Constitution and still have power to compel obedience to its unconstitutional decrees, then would the "discretion" of the Federal Government, and not the Constitution, be the measure of its action.

Your committee have also noticed closely the action of the Federal Government on the subject of slavery; it cannot be disguised that there is a strong disposition in many of the Northern States to usurp, through the Congress of the United States, jurisdiction over this question. Your committee are in possession of resolutions passed by the State of Vermont, on the 12th November, 1849, industriously transmitted to the Governor of this State, which expressly assume the doctrine that the Federal Government has ample power to abolish slavery in all the States of this Union, save the original slave-holding States of the thirteen, who formed the Federal Compact. Thus it appears that this doctrine has obtained, not only with individuals, but also with States and Legislatures; and at no very distant day will be put forward in the Councils of the United States; for it is now fast becoming a settled principle that Congress, by joint resolution, approved by the President, can do whatever they choose to do. And when we consider that the last slave-holding State is now admitted into the Union, and that in twenty years, twenty free-soil States will be admitted, we may well reflect upon this assertion of power on the part of Vermont, for the Federal Government, and see that the day is fast coming when the Federal Congress will boldly assume jurisdiction of the institution of slavery, and by formal decrees, abolish it throughout the South. This idea is strengthened by the fact that Congress has recently abolished the slave trade in the District of Columbia.

Congress has power to legislate for that District, and in her legislation is to be controlled alone by the Constitution, the primary and organic law of the land. It will be recollected the United States acquired this country of Virginia and Maryland by treaty, good faith in the observance of which would require that they should not abolish either the slave trade or slavery in the District as long as Virginia and Maryland retain the same, especially as that District is in their midst, and was expected to retain its peculiar institutions as long as they existed in the States with whom the treaty was formed, by virtue of which, the Federal Government acquired jurisdiction over the District: yet by unceasing effort the free-soiler has succeeded in abolishing the slave trade in the District of Columbia, and thereby violated that good faith plighted in the treaty of cession—a thing which would never have been done if oaths could bind the conscience of Fanaticism, or Treaties and Constitutions stay the hand of Aggression.

Though the decree entered in this case effects but small territory, yet it fixes a principle of vital importance to the south.—It is the entering wedge, and next follows the abolition of slavery, not only in the District, but in all the Navy Yards, Dock Yards, Forts and Arsenals throughout the slave-holding States, for their power is as unquestionable and absolute in one case as in the other.

Should the South quietly bear all these, then next in the train of this dark-robed series of iniquitous measures, comes from Vermont, that magic production of delirium: that the Federal Government has power to abolish slavery in all the states, save the thirteen original States which framed the Federal Constitution. Thus the original thirteen States, together with all the new free-soil States, would be combined against a poor and helpless minority of slave-holding States—these being crushed, then comes the rapid multiplication of free-soil States—even if this unprincipled usurpation of power never takes place, still if we believe what is daily avowed by those who are warring against our rights and property, the hour is not far in the future when by the admission of new States, organized upon free-soil principles, the requisite majority will be obtained, and ample power will, by amendment to the Constitution, be given to Congress to abolish slavery throughout the States.

By the admission of California into the Union, the equilibrium so long maintained in the Senate of the United State, was destroyed never to be restored, and now both branches of the Congress and the executive of the Federal Government are all in the power of those who are enemies to the institution of Domestic Slavery.

And experience demonstrates, that they are much inclined to engage in the work dictated by their fanatical constituencies; it is necessary, therefore, that this State should look closely to its interest in connection with this subject and guard its rights with jealous care; dark clouds lower over our fortunes, and the future is veiled in impenitrable mystery, yet your committee indulge the fond hope, that a returning sense of justice, aided by Divine Providence, will enable the Republic to regain its pristine purity.

1. *Resolved*, That the several States composing the United States of America are not united on the principle of unlimited submission to the General Government; but that by compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes; delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void and of no force. That to this compact each State acceded as a State, and is an integral party. That

this Government, created by this compact, was not made the exclusive or final judge of the extent of powers delegated to itself; since that would have made its discretion, and not the Constitution the measure of its powers; but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions, as of the mode and measure of redress.

2. That by virtue of the treaty of Guadaloupe Hidalgo, the slave-holding States acquired such an interest in the Territory ceded to the United States by Mexico, as entitled their citizens to emigrate to said Territory with their property of every kind.

3. That the United States being a cluster of independent sovereignties, leagued together for special purposes, this State had a right to expect such distribution to be made of their joint acquitions as would allot a portion thereof to the slave-holding States, under such circumstances as would allow citizens of Arkansas to emigrate thereto with their slaves in safety.

4. That, in their regular and premature admission of California into this Union, with a constitution framed by irresponsible persons, with a view to exclude the South therefrom, and destroy the equilibrium in the Senate of the United States, we recognize a spirit incompatible with brotherly love and affection, and at war with justice and equity.

5. That in the dismemberment of Texas, the organization of the Territorial Governments of Utah and New Mexico, and in the abolition of the slave-trade in the District of Columbia, we witness a spirit of aggression upon Southern Rights, against which it is our duty to protest most solemnly.

6. That the spirit of aggression upon Southern rights, manifested in the last Congress, the bold and reckless assumption of power by the Federal Government in the premises aforesaid, are alarming, dangerous and perilous to the slave-holding States.

7. That Congress has no constitutional right to legislate on the subject of slavery; and whenever this power is assumed, it is in the direct violation of every principle of justice and equality

8. That the domestic institution of African slavery as it now exists in the Souther States, is worthy of extension and perpetuity, and affords a happy facility for the moral elevation of both the black and white races, and is fully sanctioned by divine law.

9. That in appropriating $10,000,000 of the common treasure to the purchase of territory from Texas, the Federal Congress used our own money to deprive us of our just rights as a slave-holding State, inasmuch as it is now certain that no part of said

Territory will ever be admitted into this Union as a slave-holding State.

10. That we are free to express our opinion that, so far from the action of Congress fostering the peace, welfare, prosperity and perpetuity of the Union, it has and will excite the indignation and disrespect of every true Southern heart, and thereby create a general dissatisfaction throughout the Southern States.

11. That we have forborne long (to act as we certainly have a right to do) to throw off these oppressions so long heaped upon us, contrary to the letter and spirit of the Constitution and to the laws of Nature and Noture's God: all of which teach us that man cannot always endure these wrongs.

12. That Arkansas cherishes an abiding affection for the Union, and a reverence for the letter and spirit of the Constitution: but will never submit to aggression upon her rights, to dishonor, or disgrace, except from necessity alone.

13. Arkansas will abide the fate of the majority of the Slave-holding States, and will seek their Destiny.

GEO. C. EATON, *C. C. F. R.*
on part of House.
N. B. BURROW, *Chairman*
on part of Senate.

Mr. Carroll was called to the Chair.

Mr. Trapnall moved to lay the report and resolutions on the table indefinitely.

Mr. Stewart of Green called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Anderson, Armstrong, Ayres, Bailey, Baker, Bassham, Billingsly, Carroll, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Farmer, Foreste, Hardin, Harris, Imboden, Jackson, Johnson, Kinsworthy, Miller, Mitchell, McIlroy, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Simpson, Sadler, Trapnall, Tebbetts, Walker, Woodward and Yochum—41.

Those members who voted in the negative, are

Messrs. Aikin, Blakemore, Bradley, Brewton, Cauthron, Eaton, Ferguson, Fletcher, Gordon, Gilmer, Hart, James, Leslie, Lafferty, McRea, Russell, Singleton, Steward of Crawford, Stewart of Green, Sisel, Sevier, Trimble, Tappan, Tobey, Witherspoon, Whittington, Wills and Mr. Speaker—28.

So the report of the committee on Federal Relations and resolutions was laid on the table indefinitely.

The following communication was received from the Governor.

EXECUTIVE OFFICE,
Little Rock,
Dec. 23*d*, 1850.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives.

The preamble and resolutions of the southern convention, adopted at Nashville, on the 18th day of November, 1850, have been forwarded to the Executive of this State, accompanied by a communication of the President of the convention, containing a request that they should be laid before the legislature of this State.

In compliance of this request, I have the honor herewith to transmit the same, and ask for that them attention and serious consideration from your honorable body, which the magnitude of the subject causing their adoption demands.

I have the honor to be,
Your obedient servant,
JOHN SELDEN ROANE.

On motion of Mr Trapnall the vote giving leave to the committee of the Whole House to set again upon considerations of joint resolutions concerning Federal Relations introduced by the Hon. Speaker was re-considered.

Mr. Trapnall moved to lay said resolution of Mr. Flournoy upon the table indefinitely.

Mr. Witherspoon called for the ayes and noes on said motion which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Ayres, Bailey, Baker, Basham, Billingsley, Blakemore, Brewton, Cauthron, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Farmer, Foreste, Fletcher, Gilmer, Hardin, Harris, James, Jahnson, Kinsworthy, Mitchell, McIlroy, McRea, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Rossin, Singleton, Sissel, Simpson, Sadler, Tappan, Tebbetts, Trapnall, Tobey, Walker, Woodward, Whittington and Yochum—50.

Those members who voted in the negative, are

Messrs. Bradley, Carroll, Chandler, Gordon, Hart, Imboden, Jackson, Leslie, Lafferty, Miller, Russell, Steward of Crawford, Stewart of Green, Sevier, Trimble, Witherspoon, Wills and Mr. Speaker—18.

So the resolutions were laid on the table indefinitely.

On motion of Mr. Woodward leave of absence wns granted to Mr. Ferguson on account of indisposition.

On motion of Mr. Tebbets leave of absence was granted to Mr. Adams.

On motion of Mr. Trapnall the following joint resolution of the Senate was taken up and read:

Resolved, by the General Assembly of the State of Arkansas, That our warm and cordial approbation be, and the same is hereby extended to our delegation in Congress for all that part of their public and official conduct, which had for its object the sustenance of the rights of the South against the aggressive legislation and spirit of the late Congress of the United States.

2. That the Governor be requested to endorse a copy of these resolutions to each of our delegation in Congress.

Mr. Tebbetts offered the following as a substitute for the above resolutions.

1. We condemn all action of the people of the non-slaveholding States, and their representatives in Congress affecting prejudicially the rights or interests of the Southern States on the subject of slavery.

2. We still, notwithstanding all the wrongs we have suffered at the hands of our northern brethren, adhere to the Union of the States. But we solemnly protest against a further interference with our Constitutional rights on the subject of slavery, with a fixed determination to resist further aggression by all legal and Constitutional means—and if necessary to resort to such other means as are guarantied to freemen by the laws of nature and nature's God.

Mr. Trapnall moved to lay both the resolutions and substitute on the table indefinitely.

Mr. Sevier called for the ayes and noes on the motion, which was sustained and the roll was called.

Those members voting in the affirmative, are

Messrs. Anderson, Armstrong, Ayres, Baker, Basham, Billingsley, Blakemore, Carroll, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Farmer, Foreste, Green, Hardin, Harris, Imboden, Jackson, Johnson, Leslie, Miller, Mitchell, McIlroy, Murph, Morton, Patrick, Preston, Pyburn, Rogers, Rosson, Steward of Crawford, Simpson, Sadler, Trapnall, Walker, Woodward, Yochum, and Mr. Speaker—43.

Those members who voted in the negative, are

Messrs. Atkins, Bradley, Brewton, Cauthron, Eaton, Fletcher, Gordon, Gilmer, Hart, James, Lafferty, McRae, Russell, Singleton, Stewart of Greene, Sevier, Trimble, Tappan, Tebbetts, Tobey, Whittington, and Wells—22.

So the resolution and substitute were laid upon the table indefinitely.

On motion of Mr. Tobey, Senate joint resolution requiring the Secretary of State to publish for one week in all the newspapers printed in this State the Act passed at this session reviving the viva voce system of voting.

Was taken up and read a 2d time.

On motion of Mr. Whittington it was so amended as to include the act of the present session entitled an act to amend an act entitled an act to distribute the proceeds of the 500,000 acres of land donated to the State of Arkansas for Internal Improvements.

On motion of Mr. Whittington the rules were dispensed with and the resolution was read a 3d time and concurred in.

On motion of Mr. Tebbetts the House adjourned until Thursday morning.

T. B. FLOURNOY, Speaker
of the House of Representatives.

THURSDAY, DEC. 26, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, Chaplain.

The journal of yesterday was read and approved.

Mr. Ferguson asked and obtained leave, to record his vote against laying on the table the resolution reported by the committee on Federal Relations.

Mr. Tebbetts was called to the chair.

Petitions from counties were in order.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed bill No. 96 to be entitled an act to amend 104th chapter of the Digest.

Also bill No. 92 to be entitled an act to amend the laws in relation to the lands donated to the State.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

Reports from standing committees were in order.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to incorporate the Board of Trustees of the Little Rock Masonic and Odd Fellows Hall.

Also an act for the relief of Eliazer T. Wells, of Chicot county Arkansas.

Also an act to change the time of holding the Probate court of Green county; and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Reports from select committees were in order.

On motion of Mr. Singleton House bill to be entitled an act to exempt a homestead from execution or forced sale,

Was taken up.

Mr. Brewton offered the following amendment: amend by striking out the words one hundred and sixty acres, and insert in lieu thereof, eighty acres.

Mr. Singleton moved to reject the amendment.

Mr. Harris called for the ayes and noes, which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs. Atkins, Armstrong, Ayres, Bailey, Baker, Bradley, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Embry, Ferguson, Foreste, Fletcher, Gordon, Hardin, Imboden, Johnson, Kinsworthy, McIlroy, Murph, Morton, Nettles, Patrick, Preston, Singleton, Steward of Crawford, Sevier, Sadler, Trimble, Tappan, and Mr. Speaker—34.

Those voting in the negative, are

Messrs. Anderson, Basham, Billingsley, Blakemore, Brewton, Carroll, Denton, Emerson, Farmer, Gilmer, Hart, Harris, Jackson, James, Leslie, Lafferty, Miller, Mitchell, McRae, Pyburn, Rogers, Russell, Rosson, Stewart of Green, Sissel, Simpson, Trapnall, Tebbetts, Tobey, Walker, Whittington, Woodward and Yochum—33.

So the amendment was rejected.

Mr. Basham offered the following amendment: amend by striking out one hundred and sixty and inserting in lieu thereof forty acres or one town lot, provided the same does not exceed five hundred dollars in value.

Mr. Sevier moved to lay the amendment on the table.

Mr. Dodson called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the negative, are

Messrs. Atkins, Armstrong, Bailey, Baker, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Dodd, Eaton, Embry, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Jackson, James, Johnson, Lafferty, Mitchell, McRay, Murph, Morton, Nettles, Patrick, Preston, Rogers, Singleton, Steward of Crawford, Stewart of Green, Sissel, Sevier, Trimble, Tappan, and Mr. Speaker—44.

Those members who voted in the negative, are

Messrs. Anderson, Ayres, Basham, Billingsley, Blakemore, Denton, Dodson, Emerson, Farmer, Kinsworthy, Leslie, Miller, Pyburn, Russell, Rosson, Simpson, Sadler, Trapnall, Tebbetts, Walker, Witherspoon, Whittington, Woodward and Yochum—24.

So the amendment was laid on the table.

Mr. Cline moved to lay the bill on the table indefinitely.

Mr. Johnson called for the ayes and noes, which was sustained, and the roll called.

Those members voting in the affirmative, are

Messrs. Anderson, Ayres, Bassham, Billingsley, Blakemore, Cline, Denton, Dodson, Emerson, Farmer, Foreste, Hardin, Imboden, Johnson, Kinsworthy, Leslie, McIlroy, Patrick, Pyburn, Russell, Rosson, Sadler, Trapnall, Tebbetts and Walker—25.

Those members who voted in the negative, are

Messrs. Atkins, Armstrong, Bailey, Baker, Bradly, Bruton, Carroll, Cauthron, Chandler, Dodd, Eaton, Embry, Ferguson, Fletcher, Gordon, Gilmer, Green, Hart, Harris, Jackson, James, Lafferty, Miller, Mitchell, *M*cRae, Murph, Morton, Nettles, Preston, Rogers, Singleton, Steward of Crawford, Stewart of Green, Sissel, Sevier, Simpson, Trimble, Tappan, Tobey, Witherspoon, Whittington, Woodward, Yochum and *M*r Speaker—44.

So the bill was not laid on the table.

*M*r Sevier moved a suspension of the rules in order that the bill might be read a third time.

Which motion was lost.

Mr Sadler offered the following amendment:

Amend by saying those who have no lands the State shall give it to the women.

Which amendment was rejected.

*M*r Imboden offered the following amendment:

Amend by striking out 160 acres and inserting 140 acres with all the improvements thereon, to the amount of $400.

Mr Sevier moved to lay the amendment on the table.

Mr Tappan called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Armstrong, Ayres, Bailey, Baker, Bassham, Billingsly, Bradley, Bruton, Carroll, Cauthron, Chandler, Cline, Dodson, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Green, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, *M*cIlroy, McRae, *M*urph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Russell, Singleton, Steward of Crawford, Stewart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Yochum and *M*r Speaker—63

Those members who voted in the negative, are

Messrs. Anderson, Blakemore, Denton, Emerson, Imboden—5.

So the amendment was laid on the table.

Mr Woodward offered the following amendment: "provided, 160 acres shall not exceed in value $1,000."

Mr Sevier called for the previous question, which was sustained.

Mr Carroll moved a reconsideration of the vote of the House sustaining the call for the previous question, which motion prevailed.

Mr Sevier moved to lay the amendment offered by Mr Woodward on the table indefinitely and called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Armstrong, Bailey, Baker, Billingsley, Bradley, Bruton, Carroll, Cauthron, Chandler, Cline, Dodd, Eaton, Embry, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Green, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Patrick, Preston, Singleton, Steward of Crawford, Sevier, Simpson, Sadler, Trimble, Tappan, Tobey, Witherspoon, Yochum and Mr. Speaker—46.

Those members who voted in the negative, are

Messrs Anderson, Ayers, Bassham, Blakemore, Denton, Dodson, Emerson, Farmer, Kinsworthy, Leslie, McRae, Murph, Pyburn, Rogers, Russell, Rosson, Stewart of Green, Sissel, Trapnall, Tebbetts, Walker, Whittington and Woodward—23.

So the amendment was laid on the table indefinitely.

On motion of Mr Sevier the rules were suspended and the bill read a third time.

The question then arose upon its passage.

Mr Cline called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative are

Messrs Atkins, Armstrong, Bailey, Baker, Bradley, Bruton, Carroll, Cauthron, Chandler, Dodd, Eaton, Embry, Ferguson, Fletcher, Gordon, Gilmer, Green, Hart, Harris, Jackson, James, Lafferty, Mitchell, Morton, Nettles, Preston, Rogers, Singleton, Steward of Crawford, Stewart of Green, Sissel, Sevier, Trimble, Tappan, Tobey, Witherspoon, Whittington, Yochum and Mr Speakee—37.

Those members who voted in the negative are

Messrs. Anderson, Ayers, Bassham, Billingsly, Blakemore, Cline, Denton, Dodson, Emerson, Farmer, Foreste, Hardin, Imboden, Johnson, Kinsworthy, Leslie, McIlroy, McRae, Murph, Miller, Patrick, Pyburn, Russell, Rosson, Simpson, Sadler, Trapnall, Tebbetts, Walker, Wills and Woodward—31.

So the bill was passed.

The following message from the Senate was received by the Secretary:

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have passed Senate bill No. 116, to be entitled an act authorizing the Governor of this State to appoint a probate judge for the county of Dallas, to which the assent of the House of Representatives is respectfully asked.

JOHN M. ROSS,
Secretary of Senate.

Mr Eaton moved an adjournment, which was lost.

On motion of Mr Eaton Senate bill No. 116, to be entitled an act authorizing the Governor of this State to appoint a probate judge for the county of Dallas, was taken up and read a first time.

On motion of Mr Eaton the rules were suspended and the bill read a 2d time.

Mr Eaton moved to amend by inserting the words "*county and*" before the word probate wherever it occurred in the bill.

Which amendment was adopted.

Mr. Stuart of Green moved to amend by inserting "and Green," after the word "Dallas,"

Which was adopted.

On motion of Mr. Eaton the rules were again dispensed with and the bill road a 3rd time as amended and passed.

Mr. Foreste introduced the following resolution.

Resolved, That this House hold evening sessions at 3 o'clock p. m. each day after to day.

Which was adopted.

Mr. Basham introduced the following joint resolution:

Resolved by the General Assembly of the State of Arkansas, That this General Assembly do adjourn *sine die* on Monday, 6th January next, which was read a 1st time and ordered to a 2nd reading on tomorrow.

Mr. Carroll made the following motion:

I move to reconsider the vote on laying on the table the report and resolutions reported from the committee on Federal Relations on Tuesday the 24th December.

Mr. Trapnall moved to lay said motion of Mr. Carroll on the table indefinitely.

Mr. Preston rose to a point of order and called Mr. Eaton to order for debating the merits of the question on a motion to reconsider.

The chair decided that Mr. Eaton was in order.

Mr. Flournoy appealed from the decision of the chair.

The question was then put, "shall the decision of the chair be sustained by the Houses."

Which was decided in the affirmative.

On motion of Mr. Fletcher the House took a recess until 3 o'clock p. m.

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3 O'CLOCK, P. M.

The House convened.

Mr. Witherspoon asked for and obtained leave of absence for Mr. Watson on account of indisposition.

Mr. Farmer was called to the chair.

The question then came up on the motion of Mr. Trapnall, to lay the motion (made by *M*r. Carroll for a reconsideration of the vote taken upon laying the report of the committee on federal relations on the table,) on the table indifinitely, which motion (of Mr. Trapnall) was pending when the House took a recess this morning.

Mr. Witherspoon called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative are,

Messrs Anderson, Armstrong, Ayers, Bailey, Baker, Basham, Billingsley, Chandler, Cline, Denton, Dodson, Dodd, Embry, Farmer, Foreste, Hardin, Imboden, Jackson, Johnson, Kinsworthy, Mitchell, McIlroy, *M*urph, Morton, Nettles, Patrick, Preston, Pyburn, Rosson, Saddler, Trapnall, Tebbetts, Walker, Woodward and Mr. Speaker —35.

Those members who voted in the negative, are

Messrs Atkins, Blakemore, Bradley, Brewton, Carroll, Cauthron, Eaton, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hart, Harris, James, Leslie, Lafferty, Miller, Rogers, Russell, Singleton, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Trimble, Tappan, Tobey, Witherspoon, Whittington, Wills, and Yochum,—33.

So the motion of Mr. Carroll was laid on the table indifinitely.

Mr. Carroll offered the following motion:

I move to reconsider the vote taken on Tuesday last the 24 inst., by which the Senate resolution, approving the course of our delegation in Congress, in relation to the slavery question was laid on the table.

Mr. Trapnall moved to lay the motion on the table.

Mr. Ferguson moved an adjournment,

Which was lost.

Mr. Witherspoon called for the ayes and noes upon Mr. Trapnall's motion, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Armstrong, Baker, Billingsley, Cline, Denton, Dodson, Dodd, Embry, Farmer, Foreste, Hardin, Imboden, Jackson, Johnson, Kinsworthy, Murph, Morton, Patrick, Preston, Pyburn, Rosson, Simpson, Trapnall, Walker, Woodward, and Mr. Speaker—26.

Those members who voted in the negative are,

Messrs Atkins, Anderson, Ayers, Basham, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Eaton, Emerson, Ferguson, Fletcher, Gordon, Gilmer, Hart, Harris, James, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Nettles, Rogers, Russell, Singleton, Steward of Crawford, Stuart of Green, Sadler, Sevier, Sissel, Trimble, Tappan, Tebbetts, Tobey, Witherspoon, Whittington, Wills, and Yochum—42.

So the motion was not laid on the table.

On motion of Mr. Witherspoon the House adjourned.

T. B. FLOURNOY,
Speaker of the House.

Friday, Dec. 27th, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

Journal of yesterday was read and approved.

Mr. Sissel asked and obtained leave to record his vote in the negative on the vote taken yesterday to reject the motion of Mr. Carroll to reconsider the vote taken to lay on the table, Senate resolution approving the course of our delegation in Congress in relation to the slavery question.

Mr. Wills asked leave to record his vote in the negative on the vote taken yesterday on the final passage of House bill No. 200, to be entitled an act to exempt a homestead from execution or forced sale, which leave was granted.

The following message from the Senate was receved by the Secretary.

Mr. Speaker:

I am instructed to inform your honorably body, that the Senate have concurred in the amendment of the House to the resolution of the Senate requiring the secretary of State to have the act to change the mode of voting passed by the present General Assembyly published in all the newspapers of the State.

The Senate have assented to and concurred in the memorial of the House asking Congress to erect at the Hot Springs in this State an Hospital for national purposes with an amendment thereto, to which the concurrence of the House is respectfully asked.

The Senate have assented to House bill No. 53, to be entitled an act to incorporate joint stock Manufacturing Companies, with sundry amendments thereto in which your honorable body is respectfully asked to concur.

Also to House bill No. 68, to be entitled an act supplementary to an act entitled an act to incorporate the Jennings Falls Manufacturing Company.

Also to House bill No. 140 to be entitled an act to incorporate the Odd Fellows Hall association of Fort Smith, Arkansas.

Also an act to authorize Jonathan Hardin of Conway county, to make a turnpihe road from Newel's Stand in the north part of Pulaski county, to the crossing of the Cadron in Conway county and to build a bridge across Muddy Bayou and to causeway the bottom of the same over which said road will pass, with an amendment thereto to which the concurrence of the House is respectfully asked.

All of which are herewith returned.

The Senate have passed bill No. 115 to be entitled an act requiring the Attorney General to institute suit for the Banking house at the Post of Arkansas.

Which is herewith transmitted for the assent of the House.

The Senate have adopted joint resolutions asking Congress to discontinue the Arsenal at Little Rock, and to donate to the Trustees of St. John's College of Arkansas, the grounds and buildings thereon now occupied by said Arsenal for a site for said College.

Also joint resolution in relation to the banking house at the Post of Arkansas.

All of which are herewith transmitted for the concurrencd of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Witherspoon was called to the Chair.

On motion of Mr. Trapnall, House substitute No. 2, for Senate bill No, 15, to be entitled an act to change the mode of summoning petit jurors as prescribed in Revised Sratutes, chapter 94, in sec. 9, 10, 11, 12, 13, 14, and 15 was taken up.

Mr. Carroll offerred the following amendment: Substitute the following sect. for sect. 3 in the bill.

Sec. 3. That all petit jurors shall hereafter receive for their services one dollar per day to be paid out of the county treasury—provided that no person shall receive more than one dollar for one days services.

Mr. Carroll called for the ayes and noes on the adoption of said amendment which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Baker, Carroll, James, Rogers, Sadler, and Wills—6.

Those members who voted in the negative, are

Messrs Atkins, Anderson, Armstrong, Ayers, Bailey, Basham, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Imboden, Jackson, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Stuart of Green, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Yochum and Mr. Speaker—61.

So the amendment was not adoted.

Mr Nettles proposed the following amendment:

Strike out of 4th section the words "sworn and empannelled," and insert in lieu thereof the words "summoned and who shall attend."

Which was not adopted.

Mr Rogers offered the following amendment: amend by exempting the counties of "Drew and Ashley" from the provisions of this act.

Which was not adopted.

On motion of Mr Whittington the rules were dispensed with, and the bill was read a 3d time.

Mr Rogers called for the ayes and noes on the passage of the bill, which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Atkins, Anderson, Armstrong, Ayers, Baker, Bassham, Blakemore, Brewton, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Farmer, Foreste, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Lafferty, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Singleton, Steward of Crawford, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Wills, Yochum and Mr Speaker—57.

Those members who voted in the negative, are

Messrs Billingsley, Bradley, Eaton, Fletcher, Kinsworthy, Leslie, Rogers and Sevier—8.

So the bill was passed.

On motion of Mr Tebbetts House bill No. 110, to be entitled an act to legalize the will of William Pescod, deceased, was taken up and the Senate's amendment thereto concurred in.

Mr Patrick introduced a bill to be entitled an act to incorporate the Memphis and St. Francis plank road company;

Which was read a first time.

On motion of Mr Patrick the rules were dispensed with and the bill was read a 2d time and referred to a select committee, consisting of Messrs Patrick, Harris and Fletcher.

Mr Sevier introduced a bill to be entitled an act for the relief of Morehead Wright of Lafayette county.

Which was read a 1st time.

On motion of Mr Sevier the rules were dispensed with and the bill was read a 2d time and referred to a select committee, consisting of Messrs Sevier, Woodward, Preston, Greene and Sissel.

Mr Chandler introduced a bill to be entitled an act further to regulate the sale of the 500,000 acres of land donated to the State of Arkansas.

Which was read a 1st time.

On motion of Mr Tebbetts the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr Witherspoon presented the petition of the citizens of Cache township, in St. Francis county praying to be attached to Jackson county.

Which was read, and on motion of Mr Witherspoon was referred to a select committee, consisting of Messrs Witherspoon, Patrick, Pyburn, Sevier and Yochum.

Mr Morton made the following report:

Mr. Speaker,

The select committee to whom was referred the House bill to be entitled an act to establish the county of Sebastian, have had the same under consideration and have instructed me to report the same back to the House with an amendment requiring the county of Sebastian to pay a certain portion of the county debt of Scott county—leaving the county of Crawford in its integrity—and also the counties of Scott and Polk, containing the full constitutional limits to each, and recommend its passage with said amendment.

MORTON, Ch'n.

Which was adopted.

Mr Tebbetts moved to lay the bill on the table for the present.

Which was adopted.

On motion of Mr Morton the rules were dispensed with and the bill was read a 3d time, and at the suggestion of Mr Trapnall, the bill was laid over for the present.

Mr Sevier introduced a memorial asking Congress for an appropriation to clear out the raft in Red river.

Which was read a first time.

And on motion of Mr Sevier the rules were dispensed with and the memorial was read a 2d and 3d time and adopted.

Mr Bradley introduced a bill to be entitled an act to provide for the release of the lien of the State in certain cases.

Which was read a first time.

On motion of Mr Fletcher the rules were dispensed with and the bill was read a 2d time and referred to the committee on the judiciary.

Mr Eaton introduced a bill to be entitled an act to guard against losses by agents and professional men.

Which was read a first time.

Mr Witherspoon moved to reject said bill.

Mr Eaton called for the ayes and noes.

Which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Anderson, Armstrong, Baker, Bassham, Carroll, Denton, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Harris, Imboden, Jackson, James, Johnson, Miller, Patrick, Preston, Pyburn, Rosson, Singleton, Sadler, Trapnall, Tebbetts and Witherspoon—27.

Those members who voted in the affirmative, are

Messrs Atkins, Ayers, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Emerson, Fletcher, Gilmer, Green, Hart, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, McRea, Murph, Morton, Nettles, Rogers, Russell, Steward of Crawford, Stewart of Green, Sevier, Simpson, Trimble, Tappan, Tobey, Walker, Whittington, Woodward, Wills, Yochum and Mr Speaker—41.

So the motion to reject was lost.

On motion of Mr Eaton the rules were dispensed with and the bill read a 2d time.

Mr Brewton proposed the following amendment to the bill: amend by exempting all collectors who have given bond with approved security.

Mr Sadler offered the following as an amendment to the amendment, to wit: amend by saying their confinement in the Penitentiary be not less than ten years.

Mr Eaton moved to reject the amendment to the amendment, which motion prevailed.

Mr Tebbetts moved to reject the bill and Mr Brewton's amendment.

Mr Eaton called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Anderson, Armstrong, Baker, Bassham, Billingsley, Carroll, Denton, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Harris, Imboden, Jackson, James, Johnson, Miller, Patrick Preston, Pyburn, Sadler, Trapnall, Tebbetts, Witherspoon, and Woodward—27.

Those members who voted in the negative, are

*M*essrs Atkins, Ayers, Blakemore, Brewton, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Emerson, Fletcher, Gilmer, Green, Hart, Kinsworty, Leslie, Lafferty, Mitchell, *M*cIlroy, *Mc*-Rae, Murph, Morton, Nettles, Rogers, Russell, Rosson, Steward, of Crawford, Stewart of Green, Sevier, Simpson, Trimble, Tappan, Tobey, Walker, Whittington, Wills, Yochum and Mr. Speaker—39. So the bill was not rejected.

Mr Whittington offered the following amendment, to wit: that all persons, including planters, farmers, blocksmiths and others, who are defaulters, shall suffer and be subject to the same penalty.

On motion of Mr Gilmer, both the amendments of Mr Brewton and Mr Witherspoon were rejected.

Mr Sadler proposed the following amendment, to wit: that this act shall not take effect till after the rebuilding of the penitentiary.

Which was on motion of Mr Gilmer, rejected.

Mr Fletcher moved to strike out the 2d section of the bill and called for the ayes and noes, which call was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Anderson, Armstrong, Ayers, Baker, Bsssham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cline, Denton, Dodson, Ferguson, Farmer, Foreste, Fletcher, Gordon, Hardin, Harris, Imdoden, Jackson, James, Johnson, McIlroy, Nettles, Patrick, Preston, Pyburn, Rosson, Singleton, Sevier, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Witherspoon and Woodward—39.

Those members who voted in the negative, are

Messrs Atkins, Cauthron, Chandler, Dodd, Eaton, Emerson, Embry, Gilmer, Hart, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McRae, Murph, Morton, Rogers, *R*ussell, Steward of Crawford, Stewart of Green, Simpson, Tobey, Walker, Whittington, Wills, Yochum and Mr Speaker—28.

So the motion to strike out the 2d section prevailed.

On motion of Mr Trapnall the bill and amendments were laid on the table indefinitely.

On motion of Mr Tebbetts, joint resolution of the House to adjourn *sine die* on Monday 6th January, 1851, was taken up and read a 2d time.

Mr Sevier moved to lay the resolution on the table.

Mr Tebbetts called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Carroll, Fletcher, Gilmer, Leslie, Lafferty, Morton, Preston, Russell, Singleton, Steward of Crawford, Sevier, Tappan, Tobey, Witherspoon, Whittington and Wills—17.

Those who voted in the negative are

Messrs Anderson, Armstrong, Ayers, Baker, Bassham, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Farmer, Foreste, Gordon, Green, Hart, Harden, Harris, Imboden, Jackson, James, Johnson, Kinsworthy, Miller, Mitchell, McIlroy, McRae, Nettles, Patrick, Pyburn, Rogers, Rosson, Stewart of Green, Simpson, Sadler, Trimble, Trapnall, Tebbetts, Walker, Woodward, Yochum and Mr Speaker—50.

So the resolution was not rejected.

On motion of Mr Tebbetts the resolution was then adopted.

The following message was received from the Senate:

Mr. Speaker—

I have the honor to present for your honor's signature a resolution requiring the Secrerary of this State to cause the act changing the mode of voting in this State, to be published for one week in all the newspapers published in this State.

Also a resolution instructing our Senators and requesting our Representative in Congress to procure the passage of a law to erect a hospital at Hot Springs in this State.

JOHN M. ROSS,
Sec'y of the Senate.

Mr Trapnall introduced a bill to be entitled an act to incorporate the Rockville Manufacturing Company.

Which was read a first time.

On motion of Mr Trapnall the rules were dispensed with, the bill was read a 2d time and referred to the committee on the judiciary.

On motion of Mr Jackson the House took a recess until 3 o'clock, P. M.

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3 O'CLOCK, P. M.,
December 27th, 1850.

The House convened.

Mr Jackson offerred the following resolution:

Resolved, That the committee on apportionment be instructed to report as soon as possible, a bill apportioning the representation in this State.

Which was adopted.

Mr Tebbetts offered the following reselution:

Resolved, That the committee on banks be instructed to report as soon as possible.

Which was adopted.

On motion of Mr. Tebbetts the House resolved itself into a committee of the Whole for the purpose of considering bill No. 204 to be entitled an act to provide for building a safe and durable wall around the penitentiary; proper workshops, keeper's house, and for the improvement of the penitentiary system.

Mr. Woodward in the chair.

The committee after setting some time arose and reported back said bill with sundry amendments, and recommended its passage.

Which report and amendments were adopted.

On motion of Mr. Whittington the bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Farmer was called to the chair.

Mr. Carroll moved to take up Senate resolution approving the course of our delegation in Congress, as regards the slavery question.

On motion of Mr. Foreste the House adjourned.

T. B. FLOURNOY, Speaker.

SATURDAY, Dec. 28, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

On motion of Mr. Rogers, leave of absence was granted to Mr. Singleton.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. Tebbetts from the committee on internal improvements to whom was referred House bills Nos. 3, 146, and "R" in relation to the road law, reported the same back and recommended that they be laid upon the table until the fourth of July next.

Which report was adopted.

Mr. Bailey was called to the chair.

On motion of Mr. Tebbetts Senate bill No. 50 to be entitled an act to amend in part the 140th chapter of the Statutes of Arkansas, under the title of roads and highways,

Was taken up.

Mr. Denton moved to amend said bill by striking out all after the enacting clause and insert the following in lieu thereof, to wit:

Sec. 1. *Be it enacted by the General Assembly of the State of Arkansas*, That the county court of each county of this State shall appoint one overseer for each road district, and one justice of the peace for each township at the time now prescribed by law, who shall serve two years.

Sec. 2. *Be it further enacted*, That each overseer may appoint one of his to warn the hands to work the road at such time and place as he may direct, and such hand shall be exempt from working at that time; the overseer shall attend to working the road, and receive no compensation for the same.

Sec. 3. *Be it further enacted*, That on failure of any hand to work after having been duly warned, the overseer shall return him a delinquent to the apportioning justice, and such justice after giving ten day's notice such hand without reasonable excuse rendered. shall enter a judgment for one doller for each day's failure to work and on failure of any overseer to discharge his duty in all things pertaining to his road, he may be returned by any person aggrieved to any justice of the peace of his township, and such justice of the peace shall hear and determine the same in a summary manner, and if it appear to the satisfaction of such justice, that the overseer has failed to perform his duty as required by law, he shall enter a fine for not less than five nor more than fifty dollars, and such fine shall go to the repair of such road district.

Sec. 4. *Be it further enacted*, That the apportioning justice may require any manager of farm to give him the number of hands subject to work, on his or her farm, under oath, and the overseer or hand appointed to warn in the hands shall be required to put down the names of all persons in his district subject to work the roads, who may be omitted by the justice of the peace—all fines shall be paid to the apportioning justice, and be by him laid out and expended on the different road districts of his township.

Sec. 5. *And be it further enacted*, That this act take effect and be in force from and after its passage.

Mr. Stewart of Green, moved to lay the bill on the table indefinitely.

Mr. Whittington demanded a division of the question.

Which was accordingly done.

The question then arose upon the laying the substitute upon the table indefinitely.

Mr Denton called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Bailey, Billingsley, Blakemore, Brewton, Carroll, Cauthron, Cline, Dodd, Eaton, Emerson, Embry, Ferguson, Foreste, Gordon, Greene, Hart, Harris, Imboden, Jackson, Johnson, Kinsworthy, Mitchell, *M*cIlroy, McRae, Murph, Nettles, Patrick, Preston, Pyburn, Rosson, Stewart of Green, Sissel, Simpson,Sadler, Tappan, Tebbetts, Tobey, Whittington, Woodward, Wills and Yochum—44.

Those members who voted in the negative, are

Messrs. Ayres, Baker, Basham, Chandler, Denton, Dodson, Farmer, Fletcher, Gilmer, Hardin, James, Leslie, Lafferty, Rogers, Russell, Steward of Crawford, Trimble, Walker, and Mr. Speaker—19.

So the substitute was laid on the table indefinitely.

Mr. Tobey offered the following substitute:

Be it enacted that all road laws now in force be, and tho same are hereby repealed.

Which was, on motion of Mr. Gilmer, rejected.

Mr. Pyburn offered the following amendment, exempting county and probate judges, sheriffs and county treasurers.

Which was not adopted.

On motion of Mr. Foreste the rules were dispensed with and the bill was read a third time.

Mr Rogers called for the ayes and noes on the final passage of the bill, which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Bailey, Baker, Basham, Billingsley, Blakemore, Brewton, Carroll, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Foreste, Gordon, Greene, Hart, Hardin, Imboden, Jackson, James, Johnson, Miller, Mitchell, McIlroy, McRay, *M*urph, Morton, Nettles, Pattrick, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Sissel, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Whittington, Woodward, Wills, Youchum, and *M*r. Speaker—55.

Those members who voted in the negative, are

*M*essrs. Ayres, Denton, Farmer, Fletcher, Gilmer, Kinsworthy, Leslie, Lafferty, Rogers, Stewart of Green, and Walker—11.

So the bill was passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 141 to be entitled an act to incorporate the Ouachita and Red river plank road company.

Also to House bill No. 191 to be entitled an act for the benefit of

Andrew Bridge of Lawrence county, with an amendment thereto, in which the concurrence of the House is respectfully asked.

Also to House bill No. 36 to be entitled an act to prevent non-residents of this State from becoming executors and administrators.

Also to House bill 184 to be entitled an act to incorporate the town of Hot Springs, with an amendment thereto, to which the concurrence of the House of Representatives is respectfully asked.

Also to House bill No. 73 to be entitled an act to empower the circuit courts to alter or change names and for other purposes, with an amendment thereto, to which the concurrence of the House of Representatives is respectfully asked.

Also to House bill No. 165 to be entitled an act to exempt Libraries in this State from attachment and sale under execution, with an amendment thereto, to which the concurrence of the House of Representative is respectfully asked.

Also to House bill No. 171 to be entitled an act to incorporate the Mississippi and Bartholomew Plank road company, with an amendment thereto, in which your honorable body is respectfully asked to concur.

Also to House bill No. 186 to be entitled an act for the redemption of the county scrp of Benton county now at interest.

Also to House bill No. 157 to be entitled an act changing the time of holding the probate court of Scott county.

Also to House bill No. 104 to be entitled an act in relation to county tax on lands forfeited to the State and sold by the Anditor or redeemed at the State Treasury.

All of which are herewith returned.

The Senate have concurred in the amendments of the House of Representatives to Senate bill No. 116 to be entitled an act authorizing the Governor to appoint a probate judge of Dallas county.

The Senate have passed bill No. 103 to be entitled an act to amend the 18th section of 71st chapter of the Digest of the Statutes of Arkansas.

Also bill No. 107 to be entitled an act supplementary to an act entitled an act to prevent speculations in donation lands.

Also bill No. 108 to be entitled an act supplementary and amendatory of an act to incorporate the Clarksville institute; approved 1st January, 1849.

Also bill No. 114 to be entitled an act to incorporate the New Prospect Cotton and Woollen Factory of Pittsburg in Johnson county Arkansas.

Also bill No. 118 to be entitled an act to legalize the nuncupative will of Charles Robertson, deceased, and for other purposes.

Also bill No. 120 to be entitled an act to provide for holding certain elections in certain cases.

Also bill No. 121 to be entitled an act in relation to conveyances to be executed by the Governor of the State of Arkansas.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have adopted a resolution instructing our Senators and requesting our Representative in Congress to use their exertion to procure the establishment from Cadron in Conway county to Clinton in Van Buren county.

Which is herewith transmitted for the assent of the House of Representatives.

J. M. ROSS,
Sec'y of Senate.

Mr. McRae introduced a bill to be entitled an act to incorporate the Eldorado plank road company.

Which was read a first time.

On motion of Mr. McRae the rules were dispensed with and the bill was read a second time and referred to a select committee, consisting of

Messrs. McRae, Trapnall and Kinsworthy.

Mr. Denton introduced a bill to be entitled an act foı the relief of John Hargrave, late sherieff of Marion county.

Which was read a first time.

On motion of Mr. Denton the rules were dispensed with and the bill was read a second time and referred to a select committee consistingof

Messrs Denton, Foreste, Jackson, James, and Leslie.

Mr. Carroll introduced a bill to be entitled an act to regulate the pay of witnesses in certain cases.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Tappan made the following

REPORT:

Mr. Speaker,

The committee on enrolled bills have examined an act supplementary to an act entitled an act to incorporate the Jennings' Falls manufacturing company.

Also an act to incorporate the Odd Fellows Hall Association of Ft. Smith, Arkansas.

Also an act to legalize the will of William Pescod, deceased, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr. James from the select committee reported back to the House, bill No. 199 to be entitled an act to amend an act to incorporate the Town of Pine Bluff, with an amendment, and recommended its passage.

The amendment was then adopted, and the bill as amended was read a third time and passed.

House bill no 204 to be entitled an act to provide for building a a safe and durable wall around the penitentiary, proper workshops, keeper's House and for the improvement of the penitentiary system, was taken up and read a third time.

Mr. Ayres called for the ayes and noes upon the passage of the bill.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Bailey, Baker, Billingsly, Blakemore, Brewton, Carroll, Cauthron, Cline, Denton, Emerson, Embry, Ferguson, Greene, Hart, Harris, Imboden, James, Miller, McRea, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russel, Rosson, Steward of Crawford, Stuart of Green, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Whittington, Woodward and Mr. Speaker—43.

Those members who voted in the negative, are

Messrs. Ayres, Basham, Chandler, Dodson, Dodd, Eaton, Farmer, Foreste, Fletcher, Gordon, Gilmer, Jackson, Johnson, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, Murph, Sissel, Sadler, Wills and Yochum—23.

So the bill was passed.

Mr. Trapnall introduced the following resolution:

Resolved, That the committee on apportionment be instructed to prepare and report a bill dividing the State into two Congressional Districts.

Which was adopted.

Mr. Stuart of Green introduced a bill to be entitled an act to compel the State to pay costs in certain cases.

Which was read a first time.

On motion of Mr. Stuart of Green the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

On motion of Mr. Atkins, Senate bill No. 77, to be entitled an act for the relief of Polk and Perry counties, was taken up and read a second time.

On motion of Mr Atkins the rules were dispensed with and the bill was read a third time and passed.

On motion of Mr. Carroll Senate bill No. 76, to be entitled an act for the relief of S. H. Hempstead, was taken up and read a first time.

On motion of Mr. Basham Senate bill No. 114, to be entitled an act to incorporate the New Prospect Cotton and Woolen Factory of Pittsburg, in Johnson county, Arkansas, was taken up and read a first time.

On motion of Mr. Basham the rules were dispensed with and the bill was read a second time and referred to a select committee consisting of Messrs. Farmer, Tebbetts, Trapnall, Walker and Tobey.

Mr. Yochum introduced a bill to be entitled an act to report an act passed on the 24th day of December, 1840.

Which was read a first time.

On motion of Mr. Yochum the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

On motion of Mr. Rogers the House concurred in the amendments of the Senate to House bill No. 171, to be entitled an act to incorporate the Mississippi and Bartholomew plank road company.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I have the honor to present for your Honor's signature, an act empowering the Governor to appoint a County and Probate Judge for the counties of Dallas and Green.

JOHN M. ROSS
Sec'y of Senate.

On motion of Mr. Emerson House memorial praying the United States to build a hospital at Hot Springs in this State was taken up, and the Senate amendments thereto concurred in.

On motion of Mr. Tebbetts the House concurred in Senate's amendment to House bill No. 84, to be entitled an act making certain appropriations.

Senate bill No. 54, to be entitled an act to incorporate St. John's College of Arkansas,

Was taken up and read a 1st time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a 2d and 3d time and passed.

On motion of Mr. Trapnall Senate bill No. 121, to be entitled an act in relation to conveyances to be executed by the Governor of the State of Arkansas,

Was taken up and read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Senate bill No. 35, to be entitled an act to amend the law under the head of limitation, was taken up and the amendments proposed by the committee on the judiciary were adopted.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a third time and passed.

House bill No. 53, to be entitled an act to incorate Joint Stock Manufacturing Companies, was taken up and the amendments thereto concurred in.

On motion of Mr. Carroll Senate bill No. 115, to be entitled an act requiring the Attorney General to institute suit for the Banking House at the Post of Arkansas,

Was taken up and read a 1st time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a 2d and 3d time and passed.

On motion of Mr. Tebbetts the substitute for House bill No. 86, to be entitled an act making appropriation to pay Wm. E. Woodruff, &c.

Was taken up and read a 2d time.

On motion of Mr. Tebbets the rules were dispensed with and the bill was read a third time and passed.

On motion of Mr. Trapnall the House adjourned.

T. B. FLOURNOY, *Speaker.*

MONDAY, DEC. 30, 1850.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee chaplain.

The journal of Saturday was read and approved.

Mr. Witherspoon was called to the chair.

Petitions from counties were in order.

Reports from standing committees were in order.

Mr. McRea from the joint standing committe on Auditor's and Treasurer's books made the following

REPORT:

Mr. Speaker:

The joint standing committee on the Auditor's and Treasurer's books, to whom was referred so much of the Governor's Message and the accompanying documents as relates thereto, have had the same under consideration and beg leave to report the following:

Upon an examination of the books and accounts, moneys and credits, pertaining to said offices, we take pleasure in informing you, that they are in good order and condition, and correspond in every particular, with the reports recently submitted by the Auditor and Treasurer to the Gvernor, and reported by him to the legislature.

In the course of the investigation we find that the sum of $489 33, has been expended by the Governor out of the contingent fund of the Executive Department, for Clerk hire in the Auditor's office.

By an act passed at the last session of the legislature, the sum of $1,200, was appropriated especially for this purpose. Larger amounts were then suggested, but the legislature withheld its consent; and with a perfect understanding after a searching investigation, fixed upon the amount appropriated as being sufficient for this end.

Then, unless by the happening of some unforeseen event (which alone can be denominated a contingency,) the public interests in the auditors office were found by the Governor in a suffering and wasteful condition, an appropriation out of the contingent fund for such a purpose, it seems to us, is unauthorized.

Upon the departure of A. E. Thornton, late Financial Receiver, who it was supposed, had left largely indebted to the State, His Excellency made application to the Auditor, for the issuance of a warrant on the Treasurer, for the sum of $80 to be paid out of the contingent fund aforesaid, to defray the incidental expenses necessarily accruing in the attempt made to re-capture and bring back said Thornton.

But from a misconception of the law (as we think,) the Auditor refused to issue the warrant. Whereupon the Governor advanced, out of his own means, the sum of $80, in furtherance of the above object; which amount, though small, your committee thinks ought to be refunded to him.

On page 3, of the Auditor's report, he says: "On on the 15th of February, 1850, E. Cummins, Esq., Land Attarney and State Collector, made a report to his office showing the payment into the Treasury of the sum of $1,372 32, on account of the Internal Improvement Fund, and $2,392 26, on account of the Seminary Fund; making in all $3,764 58. These amounts purport to have been paid into the Treasury in Murch, May, July and August, 1849, during the term of Samuel Adams, late Treasurer of Arkansas. For these amounts no official receipts of the late Treasurer have been filed in this office.

But the Land Attorney accompanied his report with official memoranda made by the late Treasurer, showing and acknowledging, that the amounts had been paid into the Treasury.

The Auditor is satisfied of the fact that the above amount of $3,764 58, has been paid into the Treasury by E. Cummins, Esq., Land Attorney and State Collector, and that in justice he is entitlrd to the credit for that amount.

But as the receipts and memoranda filed by him, were not official, the credits could not legally be given on the books in this office.

The Auditor has deemed this matter of sufficient importance to order a suit to be brought against the late State Treasurer for the amount.

When the Land Attorney receipts to the Land Agent for bonds or notes for collection, he at once becomes legally responsible for them, or the money collected thereon; from which responsibility he can only be released by returning the notes receipted for, or paying the money into the Treasury. In this case has either been done?

Mr. Cummins contends that it has. To establish that fact, what, by the law is made evidence? A receipt from the Treasurer of the State, with his *seal of office* affixed. Is the evidence adduced by Mr. Cummins of this character? It is not. If, then, he is in possession of no evidence, which, by the law releases him from the responsibility, it seems to us that the Auditor but pursued the law in refusing him credit on his books for that amount.—If this is correct, it must follow, as a consequence, that, in failing to charge the Treasurer with the amount, the Auditor is also fully sustained by the law.

But further: He tells us, that, notwithstanding this, he has instituted suit against the late "Treasurer and his securities."

Upon what is the suit predicated—by what evidence will it be sustained? The Auditor tells us that he has no charge upon his books against Samuel Adams, or his securities, for the amount demanded: that there are no receipts in his possession, nor have any been exhibited to him, sufficient to charge the parties.

But the Auditor thinks he is sustained in this position, by the following clause in the Statutes, found in the 9th sec. of the 23d chap. of the Digest to wit: "8th. To direct prosecutions in the name of the State for all official delinquencies in relation to the assessment, collection and payment of the revenue, against all persons who by any means become possessed of public money or property, and fail to pay over and deliver the same." The essence of which is (to give it a specific application in this case) that, where persons become *officially* charged with public moneys, or property, it shall be his duty to institute suit for the recovery of it.

Is the late Treasurer officially chargeable, or in possession of the amount in question? He is certainly neither: for if so charged, chargeable or in possession of, the Land Attorney ought to have been, or ought now, to be released and credited; as it is impossible that different and independent officers can, at the same time, be held and treated as responsible for the same amount.

And whatever may be the equity of Mr. Cummins, (to wh ih the committee are by no means insensible,) yet the law is imperative, and cannot be disregarded.

The committee have no hesitancy in saying that they believe that Mr. Cummins did, at the time indicated by the informal receipts credited by the Auditor, pay to the late Treasurer the amount in controversy.

But what the effect of such payment will be for the purpose of charging or releasing the different parties in interest, after being contested on either side by the introduction of parol and other secondary evidence, your committee hazard no opinion.

As no doubt the rights of all will be scrupulously regarded, pending an investigation before the proper tribunal.

The committee beg leave to make the following suggestions in reference to that most fruitful source for misunderstanding and difficulty—Clerks, and Clerk's hire, in the Auditor's office.

It is a well ascertained fact, that, so long as the office of Auditor's Clerk is in existence, or is recognized by law, the legislature will be importuned for the increase of their pay, or to make provision for extra services. or extra Clerks, &c., &c. An amount certain is given by this legislature, for the purpose; but before the assembling of the next, some extraordinary necessity presents itself,—and the contingent, or some other fund, is resorted to, to supply the deficiency.

For these reasons we propose to abolish the office of Auditor's Clerk, entirely, and, under no state of case, to recognize its existence,—precluding thereby the possibility of complaints that the number of Clerks provided for are insufficient, or are not well paid.

By this arrangement, the Auditor would assume the responsibility understandingly, and be held, himself, accountable for the condition and work in his office.

But if these suggestions are adopted, it will of course become necessary to increase the Auditor's salary, by adding such an amount to his present compensation as will be sufficient to employ and pay two clerks.

One thousand dollars, the committee think, is amply sufficient for this purpose: making the gross amount of annual compensation, for all purposes, twenty-two hundred dollars.

We have found it necessary, for the protection of the public interests to have registered and burned the redeemed Auditor's warrants in the Treasurer's office. In doing this, it has been indispensable to employ an assistant. Mr. J. A. Hutchings has performed the labor, and we ask an appropriation of $75 for his remuneration.

Your committee would further recommend, for your consideration, that the salary of the State Treasurer be increased to the extent of two or three hundred dollars, by giving him a small per centage on the Internal Improvement and Seminary fund received and disbursed by him. When the present salary was fixed upon these funds were not in the Treasury; which, by the bye, impose a large proportion of the responsibility of office.

We recommend, also, that, if any provision of the character we suggest is adopted by the legislature, we think it would be just and proper to extend it to the present incumbent, William Adams.

H. M. RECTOR, *Chairman of the Senate.*
C. L. McRAE, *Chairman of the House.*

On motion of Mr. Fletcher it was ordered that 200 copies of said report be printed.

Mr. Tappan mad the following

REPORT:

Mr. Speaker:

The committee on enrollments have exomined an act to prevent non-residents of this State from becoming Executors or Administrators.

Also an act making an appropriation to pay costs in the case of Robinson Lytle and others, against the State of Arkansas and others.

Also an act for the redemption of the county scrip of Benton county now at interest.

Also an act in relation to the county tax on lands forfeited to the State and sold by the Auditor or redeemed at the State Treasury.

Also an act to change the time of holding the Probate Court in Scott county.

Also a memorial to the Hon. Senate and House of Representatives of the United States in Congress Assembled praying for the erection of a National Hospital at the Hot Springs in this State, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 212, to be entitled an act to incorporate the Rockville Manufacturing Company, reported the same back to the House without amendment and recommended its passage.

Which report was adopted and the bill as amended was read a 2d and 3d time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred the petition of Levac Usesfevoage praying the right of citizenship, and also that of John L. Eades, praying for the passage of a special act authorizing Henry J. Bonner a minor to manage his own estate and transact business for himself reported the same back to the House, and asked to be discharged from the further consideration thereof.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 207, to be entitled an act to repeal an act passed on the 24th day of December, 1840, which reduced the county of Marion to 689 square miles, reported the same back to the House and recommend its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 215 to be entitled an act to compel the State to pay costs in certain cases, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Tebbetts from the committee on Internal Improvements to whom was referred House bill No. 193, to be entitled an act to grant Bruton H. Kinsworthy a charter to make a turnpike or plank road through the Walnut Bayou bottom, and to bridge or keep a ferry on said Bayou, reported the same back to the House and recommended its passage.

Which report was adopted and the bill was read a 3d time and passed.

On motion of Mr. Tebbetts resolution of the House to go into the election of Auditor and Treasurer was taken up.

The question then arose upon the concurrence of the House in the amendment of the Senate.

Mr. Tebbetts moved to amend Senate's amendment by striking out the 30th Dec., 1850, and inserting Thursday the 2nd of January, 1851.

Which was adopted and the amendment of the Senate as amended by the House was concurred in.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have assented to House bill No. 108 to be entitled an act to blend all the school funds of Arkansas county, in support of common schools.

Also to House bill 134 to be entitled an act amendatory of an act entitled an act to incorporate the town of Washington.

Also to House bill No. 168, to be entitled an act to authorize Jonathan McKinney to build a toll bridge across Bayou Meto.

Also to House bill No. 183, to be entitled an act to authorize George W. Morton to change the Military road running by his house.

All of which are herewith returned.

The Senate have passed bill No. 93, to be entitled an act to authorize certain alterations in the supreme court room and for other purposes.

Also bill No. 98, to be entitled an act amendatory of an act entitled an act to amend the 153d chapter of the Digest of the Statutes of Arkansas, under the title of runaway slaves.

Also bill No. 113, to be entitled an act to amend section 108 of chapter 4 of the Digest of the Statutes of Arkansas.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Bradley from the joint standing committe on banks, made the following

REPORT:

Mr. Speaker.

The committee on banks, to whom was referred so much of the Governor's Message as refers thereto, have had the same under consideration. The vast amount of matter and documents to be examined, involving the interest of the Bank of the State, render it impracticable for this committee to make a full and thorough investigation of the real situation and condition of this institution before the adjournment of the Legislature. Instead of one more full and searching, we beg leave to submit the following

REPORT:

That, in February, 1843, when the act of liquidation took effect, the Bank indebtedness, amounted to	$1,578,000 00

To wit:

State Bonds, with interest,	$1,248,000 00
Outstanding circulation,	330,000 00

To meet these liabilities, the Bank had assets to the amount of	$1,832,120 45
Total amount over and above her indebtedness,	$254,120 45

From the report of the Financial Receiver, it appears that the debt now due the holders of the bonds issued by the State Bank, is	$1,506,562 50
Outstanding circulation,	50,087 50
Making the whole debt,	$1,556,650 00
To meet this, the Bank has, at this time, assets to the amount of notes due her,	$1,081,560 70

Of this amount

Reported good,	$ 267,186 81
Doubtful, of which little will be collected,	241,404 52
And lost,	572,968 84

143 Real Estate Bank bonds and interest,	$ 219,905 00
19 coupons, $30 each,	570 00
Real Estate Bank paper,	26 00
State Bank paper to be deducted from outstanding circulation, (on hand,)	783 80
Mississippi, and other spurious notes,	2,699 75
	$ 221,284 80

We may be assured, with safety, that, of the $1,081,560 70, now due the Bank, the enormous amount of $780,000 is irretrievably lost. That a portion of this has been owing to the deranged condition of the currency, and the consequent embarrassment of the country, the committee admit: and that a portion of it has been lost by reckless legislation, is beyond doubt; but that, in many cases, the great bulk of the loss is attributable to the criminal negligence and dishonesty of the officers of the Bank, seems clear to the committee.

By failing to sue in time, and by indulging favorites, the Bank, as stated in the Message of the Governor, has lost the enormous amount of $200,000 by the statute of limitation; and a large part of the residue of this amount has been lost by an uniform failure to attend to the security of the debts due the Bank, by changing and taking inferior security: and, in many instances, by relieving friends and men of wealth and influence, and taking men of small means and doubtful responsibility in their stead: and by the failure to enforce collection with proper dilligence and energy; and this, your committee thinks is fully exempliged in the statement of the condition of the Fayetteville Branch, when an outstanding debt of $221,619 19, only $35,243 68 is reported as available, and the loss is $186,375 51; 5-6 of the whole amount a total loss.

Another most extraordinary feature in this matter, is, that, although, since the act of liquidation went into force, about the amout of $850,000 has been collected out of the assets of the Bank, but the amount of $221,284 80 remains on hand; and the debt of the Bank, so far from being materially reduced thereby, has been reduced only $21,350.

The history of the Bank exhibits the most astounding instance of long continued mismanagement and open abuse of trust, that ever occurred in a country of laws. This state of things has been brought about, to some extent, by a narrow policy and a mistaken idea of economy in giving small salaries to officers in high trust; to great indifference, as to qualification in selecting officers: but, more than all, to a total failure to examine into the conduct of those officers and holding them to strict account.

The conduct of those who have the keeping and control of the public means and money, and periodical accounting by them, which is suggested both by prudence and experience as necessary to their security, seems to have been forgotten, so far as the bank officers were concerned. In the possession of void amounts, freed from all restraint, every obligation seems to have been released, and every law, regulating their duty, set at defiance.

The law required that, whenever the amount of $10,000 should be on hand of the Bank paper, it should be registered and burned. The necessity of this law, and the necessity of enforcing it, is obvious. Yet large amounts of this money accumulated in the hands of the bank officers; and, for four years, but little of it was registered or burned.

The law required that each one of the Financial Receivers should make quarterly reports to the Governor, of the amount and character of the assets in their hands. The necessity of the law is obvious too: to prevent the agents from using and speculating in these funds; yet no regard was paid whatever to this most important law. An omission to do so, subjected them to a penalty of not less than $200 nor more $2000.

Another law then required them, when they received a State bond, to take, of the person from whom it was received, a statement of the date of the receipt, and the amount of interest computed, and to take the bond and statement at once to the treasurer, and have it cancelled, and file his receipt for it with the auditor. The bonds were drawing 6 per cent. interest, and this law was passed to prevent the officers from receiving and holding the bonds, and defrauding the State out of the accruing interest. Yet no regard was paid to this law: and a large number of the bonds of the State and Real Estate Bank come to their hands, which were held, some of them three or four years, and the interest calculated on them up to the time they were turned over. The State was an immense loser by this operation.

Permitted to retain large amounts of money on hand for an indefinite time, having failed to make their quarterly statements with impartiality, on one seemed to notice or care about it, and seeing that a large sum could be made by getting and holding the bonds: and that in all probability they would never be called to account for it; untrammelled, by sense of duty, obligation, or law, they gave full scope to their cupidity. The paper of the Bank had depreciated, and was fluctuating in value, and was generally in the hands of capitalists, or speculators, and could not easily be obtained by the debtors of the Bank, with the means of the Bank, they would purchase the paper and bonds, and sell them to the debtor at an advance.

Thus, while they raised means out of the Bank, with which they took advantage of the necessities of and speculated on the debtor; and whilst, on the other hand, they gained immense profits out of them, they robbed the State out of the accruing interest on the Bonds.

And out of these double speculations, and taking all the other advantages which their position and means gave them, one of them,

—Thornton,—in the course of four years, from a pauper, accumulated a large fortune; and although he was notoriously guilty of every offence that could be committed in the Bank against the State and the law—and although the most conclusive proof was furnished the State of the peculation and forgeries, &c., committed by him—and although this information was furnished the Attorney General, by the Governor, he (the Attorney General) did not act; and Thornton was permitted to remain, unmolested for some time, at the seat of Government, winding up his affairs, and at last permitted to leave the country openly without hindrance from any quarter. There seems to have been no one who felt it his duty to attend to the interest of the State, and have him arrested.

All the safeguards thrown by law around this fund for the security of the State, have been uniformly disregarded: and the consequence is an enormous amount irretrievably lost to the State. Almost every one interested with the offices of the Bank have felt themselves at liberty, in open violation of the laws, to use and retain its means; the check provided by law, not having been observed it is impossible for the committee to make estimates.

But few of the papers connected with and belonging to the office at Batesville have been before the committee; we however have no hesitation in saying, her situation is deplorable, and requires speedy investigation. So, the office at the Post.

Amongst those who have failed to make settlements, or held over money of the Bank, and who are reported in default, we find

M W Dorris charged with	$37,346 30
Euclid Johnson " "	2,721 09

Messrs. McKizick and Pullam, of Fayetteville, are in default, either for money retained or for a large amount permitted to be barred by the statute of limitations.

The last Legislature omitted to make appropriations for the payment of salaries of the officers, and Mr. Carroll, the Attorney at Little Rock, has retained out of the monies collected $3,753 08. G. W. Clarke, the agent appointed by the Governor to settle with the officers and bring assets to Little Rock, has retained $2,373 02.

There are circumstances of mitigation attending the two last cases. We find on investigation, that neither the Bank agent, [Mr. Clarke,] nor the Attorney for the principal Bank, [Mr. Carroll,] has retained more in value than was due for services rendered; yet the act of both are in violation of a positive law, and cannot be justified. And while appropriations should be made for their payment, the money ought to be returned and exacted, and in the funds in which it was received.

It is impossible for the Committee to make minute investigation, and ascertain every breach of trust and the extent of it.

They suggest and recommend that the act of Liquidation be replealed, and that the whole assets be turned over to the Treasurer.

The committee is not fully advised as to the legal effect of repeal ing the act of Liquidation, and being unwilling to do anything that would make the State liable for the issues of the Bank in its corporate capacity; and only recommend the turning over of the assets in the event that it does not make the State liable.

And in the event that the repeal of the act of Liquidation does not destroy the corporate existence of the Bank, and the interest of the State requires the continuance of the office of Financial Receiver, that Attorneys of the highest standing and first abilities be employed, to make investigation into the extent of the defaults; prepare the evidence and bring and prosecute suits against them in default: not only for the money retained by them, but for every breach of their duty and for recovery of all penalties imposed by law.

The Committee are satisfied that the moral security of a high character is greatly to be preferred in this country, to that of bond and obligations, and they therefore recommend that in the selection of Attorneys, none but those of the highest standing for integrity and ability should be taken, and reference should be had alone to their qualities; and if from any cause, inferior ones should be taken, your Committee are satisfied that these claims will be lost, and therefore had better be abandoned.

And if this suggestion should be adopted, your Committee would further recommend that all of the said debts which are pronounced doubtful and lost, should be placed in the hands of such Attorney or Attorneys and that ten per cent. be given them on all collections made by them; and that they be given the power to sell or compromise as to them shall seem proper and best for the interest of the State.

And if said notes, reported as good, should not be paid within six months after they fall due, that they shall be placed in the hands of such Attorneys for suit at the succeeding term of the court, if practicable, and that the collection be prosecuted without delay, and that such Attorneys be allowed five per cent. on such collection.

The Committee are satisfied that the present Financial Receiver has, in an eminent degree, discharged his duty with becoming energy and industry.

THOS H. BRADLEY, *Chm.*
Com. on Banks, House of Reps.
BURROW, *Chm. Com. on*
Banks, Senate.

Mr. Speaker resumed the chair.

On motion of Mr. Trapnall 1000 copies of the report of the committee on banks just made, were ordered to be printed.

Mr. Sevier from select committee reported House bill No. — to be entitled an act for the relief of Morehead Wright, of Lafayette co,, and recommended its passage.

The bill was read a third time.

Mr. Rosson called for the ayes and noes on the passage of the bill, which was sustained and the roll called.

Those members who voted in the affirmative, are

*M*essrs. Atkins, Anderson, Armstrong, Ayres, Baker, Bassham, Billingsley, Blakemore, Bruton, Bradley, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Harris, Imboden, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, McIlroy, McRae, Murph, Nettles, Pattrick, Preston, Pyburn, Rogers, Russell, Steward of Crawford, Stuart of Greene, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Woodward, Witherspoon, Whittington and *M*r. Speaker—60.

Those members who voted in the negative, are

Messers. Hardin, Rosson, Trapnall—3.

So the bill was passed.

Mr. Foreste was called to the chair.

Mr. Carroll introduced the following resolution:

Resolved, That a select committee of five be appointed by the chair to enquire and report to this House whether the State of Arkansas or the Bank of the State of Arkansas has lost any amount of money by the conduct of the attorney for the principal Bank, at Little Rock, in the discharge of his official duties, and report without unnecessary delay.

Which was adopted.

Whereupon the Speaker appointed Messrs. Preston, Tappan Ferguson, Sevier and Gilmer, such committee.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendment of the House to Senate bill 50 to be entitled an act to amend in part the 140th chapter of the Digest.

I have the honor to present for your Hon's. signature, an act for the relief of Polk and Perry counties.

Also an act requiring the Attorney General to institute suit for the Banking House at the Post of Arkansas.

Also an act for conveyance to be executed by the Governor of the State of Arkansas.

Also an act to amend in part the 140th chapter of the Digest of the Statute of Arkansas, under the head of roads and highways.

Also an act to incorporate St. John's College of Arkansas.

JOHN M. ROSS,
Sec'y of the Senate.

The amendments proposed to the constitution concerning the counties of Poinsett and Greene, were taken up, and the question being upon their passage to a second reading, the roll was called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstron, Baker, Billingsley, Carroll, Cauthron, Chandler, Dodd, Eaton, Emerson, Embry, Fletcher, Harris, Jackson, Lafferty, Miller, Murph, Morton, Patrick, Preston, Rogers, Russell, Stuart of Green, Steward of Crawford, Sevier, Simpson, Sadler, Tappan, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, and Mr. Speaker—35.

Those members who voted in the negative, are

Messrs Ayers, Basham, Blakemore, Bradley, Brewton, Cline, Denton, Dodson, Ferguson, Foreste, Gordon, Gilmer, Hart, Hardin, Imboden, Johnson, Kinsworthy, McIlroy, Nettles, Pyburn, Rosson, Sissel, Trimble, and Trapnall—24.

Two-thirds of the members not voting in the affirmative, the amendments were lost.

Mr. Denton made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill No. 214, to be entitled an act for the relief of John Hargraves, have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

DENTON, Chairman.

On motion of Mr. Denton the rules were dispensed with and the bill was read a 3d time and passed.

Mr. Preston introduced a bill to be entitled an act to promote the navigation of Big Creek in the county of Philips.

Which was read a first time.

On motion of Mr. Preston the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of Messrs Preston, Tebbetts and Patrick.

The proposed amendment to the constitution, offerred by Mr. Tebbetts, to wit:

That all laws of a general nature shall have a uniform operation, was taken up and read a 1st time, whereupon the roll was called upon its passage to a 2nd reading.

Those members voting in the affirmative, are

Messrs Atkins, Ayers, Baker, Basham, Bradley, Brewton, Carroll, Cauthron, Cline, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Gordon, Gilmer, Hart, Hardin, Jackson, James, Leslie, Lafferty, Miller, McRae, Murph, Morton, Patrick, Preston, Pyburn, Steward of Crawford, Sevier, Trimble, Tappan, Tebbetts, Tobey, Walker, Witherspoon and Whittington—39.

Those members who voted in the negative, are

Messrs Anderson, Armstrong, Billingsley, Blakemore, Chandler

Foreste, Fletcher, Johnson, Kinsworthy, McIlroy, Nettles, Rogers, Russell, Rosson, Simpson, Sadler, Woodward and Mr. Speaker—18.

So said amendment was passed to a second reading.

Mr. Miller introduced a bill to be entitled an act for the relief of Joseph T. Mleiham.

Which was read a first time.

On motion of Mr. Miller, the rules were dispensed with and the bill was read a 2nd time.

Mr. Nettles moved to amend the bill by inserting the name of T. P. Sadler.

Which was concurred in.

On motion of Mr. Nettles, the rules were dispensed with and the bill as amended was read a 3rd time and passed.

Mr. Woodward presented a memorial asking the Congress of the United States, to donate certain lands to a company recently chartered to make a plank road ftom Camden to Fulton, on Red river.

Which was read a first time.

On motion of Mr. Woodward the rules were dispensed with and the memorial was read a 2d and 3d time and adopted.

Mr. Carroll introduced a bill to be entitled an act to incorporate the Memphis and Arkansas river, Plank road company.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with, and the bill read a 2d time and réferred to a select committee consisting of Messrs Carroll, Stuart of Green, and Hart.

Mr. Lafferty, introduced a bill to be entitled an act to incorporate the town of Clinton.

Which was read a first time.

On motion of Mr. Lafferty the rules were dispensed with and the bill was read a 2nd time and referrd to a select committee consisting of Messrs Lafferty, Cline, and James.

On motion of Mr. Stuart of Green, Senate bill No. 118 to be entitled an act to legalize the non-cupative will of Charles Robertson deceased, and for other purposes was taken up and read a 1st time.

On motion of Mr. Stuart of Green the rules were dispensed with and the bill was read a 2nd and 3rd time and passed.

Mr. Speaker resumed the chair.

On motion of Mr. Leslie, leave of absence was granted to Mr. Yochum.

On motion of Mr. Cline, Senate bill No. 60 to be entitled an act to give an additional place of voting in the Town of Fayetteville in Washington county and Van Buren and Fort Smith, Crawford county, was taken up and read a 1st time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a 2nd time.

Mr. Carroll moved to amend by inserting Little Rock in Pulaski county,

Which was adopted.

On motion of Mr. Cline, the rules were dispensed with and the bill as amended was read a 3d time and passed.

House bill No. 165, to be entitled an act to exempt Libraries in this State from execution, was taken up and the Senate's amendment thereto concurred in.

House bill No. 73, to be entitled an act to empower the circuit courts to alter or change names, and for other purposes, was taken up, and the Senate's amendment concurred in.

Senate bill No. 120, to be entitled an act to provide for holding certain elections in certain cases, was taken up and read a 1st time.

On motion of Mr. Embry the rules were dispensed with, and the bill was read a 2nd time.

And on motion of Mr. Ayers the rules were again suspended and the bill was read a 3d time and passed,

Senate bill No. 30, to be entitled an act to provide for the election of one Representative to the Congress of the United States, and to change the time of holding other elections, was taken up and read a 1st time.

On motion of Mr. Tebbetts the bill was laid upon the table till 4th July next.

On motion of Mr. Tebbetts, House bill No. 180, to be entitled an act to fix the time for the election of members of Congress, Judges of the circuit and probate courts and prosecuting attorney, was taken up and read a 3d time and passed.

Senate bill No. 62, to be entitled an act repeal 6th sec., 44th chap. of the Revised Statutes of the State of Arkansas giving circuit courts jurisdiction in assault and battery cases, was taken up and read a 2d time.

On motion of Mr. Cline the bill was laid on the table for the present.

House bill No. 32, to be entitled an act to amend the 4th chap. of the Revised Statutes, was taken up and the Senate's amendment thereto concurred in.

Senate bill No. 71, to be entitled an act to unite the Seminary and the 16th section funds of Washington, in support of common schools, was taken up and read a 2nd time.

Mr. Hardin moved to amend by inserting Lawrence county.

Which was adopted.

Mr. Patrick moved to amend by inserting St. Francis county.

Which was adopted.

Mr. Leslie moved to amend by inserting the county of Searcy.

Which was adopted.

On motion of Mr. Nettles the bill was laid on the table for the present.

Senate bill No. 103, to be entitled an act to amend the 18th sect. of chapter 71, of the Digest of the Statutes of Arkansas, was taken up and read a 1st time.

On motion of Mr. Tebbetts the rules were dispensed with, and the bill was read a 2nd time and referred to the committee on the judiciary.

Senate bill No. 107 to be entitled an act supplementary to an act to prevent speculations in donation lands, was taken up and read a 1st time.

On motion of Mr. Anderson the rules were dispensed with and the bill was read a 2nd time and referred to the committee on the judiciary.

Senate joint resolution instructing our delegation in Congress to use their exertion to procure the establishment of a mail route from Cadron in Conway county, to Clinton in Van Buren county, was taken up and concurred in.

On motion of Mr. Eaton, the House took a recess till 3 o'clock, P. M.

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3 O'CLOCK, P. M.,
December 30th, 1850.

The House convened.

Mr. Johnson introduced a bill to be entitled an act to amend the 14th and 15th sections, chapter 139, of the Statutes of Arkansas.

Which was read a first time.

On motion of Mr. Foreste the rules were dispensed with and the bill was read a 2nd time and referred to the committee on Ways and means.

Mr. Johnson introduced a bill to be entitled an act to define the privilege of persons that have or may have the privilege by law to hawk and peddle goods, wares, and merchandize in this State without license.

Which was read a first time.

On motion of Mr. Johnson the rules were dispensed with and the bill read a 2nd time and referred to the committee on the judiciary.

House bill No. 191 to be entitled an act for the benefit of Andrew Birge of Lawrence county, was taken up and the Senate's amendments thereto concurred in.

Senate bill No. 108 to be entitled an act supplementary and amendatory of an act to incorporrte the Clarksville Institute approved 1st January, 1849, was taken up and read a 1st time.

On motion of Mr. Basham the rules were dispensed with and the bill was read a 2nd and 3rd time and passed.

Mr. Trapnall from the select committee on Levees and Drains, to whom was referred Senate bill No. 53, to be entitled an act to provide for the reclaiming of the Swamp and overflowed lands, donated to the State by the United States, reported the same back to the House with sundry amendments thereto.

The amendments were then read and were on motion of Mr. Fletcher adopted.

On motion of Mr. Trapnall, the rules were dispensed with and the bill was read a 3rd time and passed.

Senate bill No. 111, to be entitled an act to make appropriation to pay bank officers for the year 1849–50, and for arrearages due, was taken up an read a 1st time.

On motion of Mr. Emerson, the rules were dispensed with and the bill read a 2nd time,

And on motion of Mr. Tappan, was referred to the committee on Ways and means, with instructions to so amend the bill as to require those officers who had retained their salaries to repay the bank with the same kind of money as retained.

Senate bill No. 78, to be entitled an act to incorporate the town of Napoleon, was taken up and read a 2nd time.

On motion of Mr. Denton; the rules were dispensed with and the bill was read a 3d time and passed.

Senate joint resolution instructing the Attorney General to bring suit vs. Sam C. Roane, as Administrator of M. W. Dorris and others, for the banking house at the Post, was takeo up and read, an on motion of M. Carroll was laid on the table indefinitely.

Joint resolution of the Senate instructing our Senators and requesting our Representative in Congress to favor any legitimate action of the General Government, which has for its object the acquisition of the Island of Cuba,

Was taken up and concurred in.

Senate bill No. 92, to be entitled an act to amend the laws in respect to the lands donated to the State, was taken up and read a first time.

On motion of Mr. Fletcher the rules were dispensed with and the bill was read a second time and referred to the committee on public lands.

On motion of Mr. Sevier House bill No. 62, to be entitled an act concerning the treatment of slaves, was taken up and the amendment thereto, heretofore proposed by Mr. Trapnall, was adopted.

Mr. Miller moved to reject the bill and called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Ayres, Basham, Billingsly, Bradley, Brewton, Cauthron, Chandle, Denton, Dodson, Dodd, Ferguson, Farmer, Foreste, Gordon, Imboden, Jackson, Johnson, Miller, Pyburn, Simpson, Sadler and Tebbetts—22.

Those members who voted in the negative, are

Messrs. Atkins, Anderson, Armstrong, Bailey, Baker, Blakemore, Carroll, Cline, Eaton, Emerson, Embry, Fletcher, Gilmer, Greene, Hart, Hardin, Haris, James Kinsworthy, Leslie, Lafferty, McIlroy, Mcrea, Morton, Patrick, Preston, Rogers, Rnssell, Rosson, Steward of Crawford, Stuart of Green, Sissel, Sevier, Trimble, Tappan, Trapnall, Tobey, Walker, Whittington, Woodward, Wills and Mr. Speaker—42.

So the bill was not rejected.

On motion of Mr. Sevier the bill was ordered to be engrossed for a third reading on to-morrow.

Senate bill No. 110, to be entitled an act amendatory of 139th chapter of the Digest, was taken up and read a 1st time.

On motion of Mr. Trapnall the rules were dispensed with and the bill read a second time, and

On motion of Mr. Patrick the bill was referred to the committee on ways and means.

On motion of Mr. Witherspoon the House adjourned.

T. B. FLOURNOY, Speaker
of the House of Representatives.

TUESDAY, *December* 31, 1850.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Carroll introduced the petition of Sackett J. Bennett and Catherine E. Woltman, administratrix of Jacob Woltman, deceased, praying compensation for services rendered as Inspector of the Penitentiary.

On motion of Mr. Carroll the petition was referred to the committee on ways and means.

Reports from standing committees were in order.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No 66, to be entitled an act regulating the compensation of county Treasurer's, and reported the same back to the House and recommended its passage.

Whereupon, on mation of Mr Denton, the rules were dispensed with and the bill read a third time and passed.

Reports from select committees were in order.

Motions and resolutions were in order.

Mr. McIlroy introduced a bill to be entitled an act for the relief of Mrs. Cross,

Which was read a first time.

On Motion of Mr. McIlroy the rules were dispensed with and the bill read a 2d and 3d time and passed.

Mr. Patrick introduced the following joint resolution.

Resolved by the General Assembly of the State of Arkansas, That the following amendment be, and the same is hereby proposed to the Constitution of the State of Arkansas, to wit:

That counties now established may be reduced to an area of not less than 800 square miles and that new counties may be created with an area of not less than 800 square miles.

Mr. Cline was called to the chair.

Mr. Green offered the following amendment to the above proposed amendment to the Constitution, to wit:

By adding "except Sevier county which may be divided by Little River and the new county thus created which may have a less area than 800 square miles.

The question arose then upon the adoption of the amendment proposed by Mr. Greene, and the roll was called.

Those members who voted in the affirmative are,

Messrs. Atkins, Billingsley, Bradley, Carroll, Cauthron, Dodd, Ferguson, Fletcher, Gordon, Greene, Hardin, Harris, Imboden, Lafferty, Mitchell, Murph, Morton, Nettle, Patrick, Preston, Russell, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Tappan, Walker, Witherspoon, Whittington, Wills, Watson and Mr. Speaker—33.

Those members who voted in the negative, are

Messrs. Anderson, Armstrong, Ayres, Bailey, Baker, Basham, Blakemore, Brewton, Chandler, Cline, Denton, Dodson, Eaton, Embry, Farmer, Foreste, Gilmer, Hart, Jackson, Johnson, Kinsworthy, Leslie, Miller, McRae, Moore, Pyburn, Rogers, Rosson, Trimble, Trapnall, Tebbetts, Tobey and Woodward—33.

There not being two thirds voting in the affirmative the last amendment was rejected.

The question then arose upon Mr. Patrick's amendment and the roll was called.

Those members who voted in the affirmative, are

Messrs. Atkins, Billingsley, Bradley, Carroll, Cauthron, Dodd, Ferguson, Fletcher, Gordon, Gilmer, Greene, Hardin, Harris, Imboden, Kinsworthy, Lafferty, Mitchell, McIlroy, Murph, Morton, Nettles, Patrick, Preston, Russell, Steward of Crawford, Suart of Green, Sevier, Simpson, Sadler, Tappan Walker, Witherspoon, Whittington, Wills and Mr. Speaker—35.

Those members who voted in the negative, are

Messrs. Anderson, Armstrong, Ayres. Baker, Basham, Blakemore, Brewton, Chandler, Cline, Denton, Dodson, Eaton, Emerson, Embry, Farmer, Foreste, Hart, Jackson, Johnson, Leslie, Miller, McRae, Moore, Pyburn, Rogers, Rosson, Trimble, Trapnall, Tebbetts, Tobey, Woodward and Watson—32.

There not being two thirds of the members voting in the affirmative the amendment was rejected.

The following message was received from the Senate by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendments of the House of Representatives to Senate bill No. 35, to be entitled an act to amend the law under the head of limitation.

The Senate refuse to assent to House bill 150, to be entitled an act to authorize the several county courts in this State to order the burning of all useless papers after being on file for the space of ten years in the clerk's office.

Also to House bill No. 176, to be entitled an act concerning the election of county Judges.

They also refuse to assent to and concur in a memorial of the House of Representatives asking Congress to donate one section of land in lieu of the 16th section where the same is valueless.

The Senate have assented to House bill No. 99, to be entitled an act to incorporate the town of Rockport.

Also to House bill No 135, to be entitled an act to repeal the 3d section of an act approved 3d March, A. D. 1838, entitled an act appointing Trustees for the town of Washington.

Also to House bill 196, to be entitled an act to call in the scrip of Mississippi county.

Also to house bill 190, to be entitled an act for the relief of Charlotte Prince of Jackson, with an amendment in which the House is asked to concur.

Also to Houso bill to be entitled an act to grant a charter to Wm. F. S. Barkman to erect a toll bridge on the Bayou de Roche, with an amendment thereto in which the House is asked to concur.

The Senate have concurred in House resolution No 50, instructing our Senators and requesting our Representative in Congress to exercise their influence to procure the passage of a law by Congress establishing a mail route from Charlestown in Franklin county to Waldron in Scott county.

Also in resolution of the House instructing our Senators and requesting our Representative in Congress to exert their influence with the Congress of the United States to procure the establishment of a mail route in post coaches or led horse from Little Rock, via the mouth of Cache, Oakland, St. Francis and Marion, to Memphis, Tennessee.

All of which are herewith returned.

The Senate have passed bill No 99, to be entitled an act to incorporate the Clarendon Turnpike Company.

Also bill No 73, to be entitled an act to incorporate the Fountain Hill Male and Female Academy in Ashley county.

Also bill 87, to be entitled an act to prevent persons from selling Indians ardent spirits or intoxicating liquors.

Also bill 125, to be entitled an act to authorize the sale of forfeited land.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Wills introduced a bill to be entitled an act to exempt certain counties from the viva voce system of voting.

Which was read a first time.

On motion of Woodward the rules were dispensed with and the bill read a second time.

Mr. Rogers proposed to amend said bill by adding the counties of Drew, Ashley, Hot Spring, Arkansas, Washington and Conway.

Which was adopted.

On motion of Mr. Emerson the rules were suspended and the bill read as amended a 3d time.

The question then arose, shall the bill pass.

Mr. Sevier called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Ayres, Bailey, Baker, Billingsly, Blakemore, Cline, Denton, Dodd, Eaton, Emerson, Embry, Ferguson, Gordon, Gilmer, Greene, Hart, Kinsworthy, Lafferty, Miller, McIlroy, McRae, Murph, Morton, Rogers, Russell, Stuart of Green, Sevier, Sadler, Walker, Woodward, Wills, Watson and Mr. Speaker—36.

Those members who voted in the negative are.

Messrs. Basham, Bradley, Brewton, Carroll, Cauthron, Chandler, Dodson, Farmer, Foreste, Fletcher, Hardin, Harris, Imboden, Jackson, Johnson, Leslie, Mitchell, Moore, Nettles, Preston, Pyburn, Rosson, Steward of Crawford, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon and Whittington—31.

So said bill was passed.

The following message from the Governor was received by his private secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Governor has approved and signed an act for the redemption of the county scrip of Benton county now at interest.

An act to prevent non-residents of this State from becoming executors or administrators.

An act for the relief of Caleb Mills.

An act to incorporate the town of Warren, Bradley county, Arkansas.

An act to grant Ezekiel Kinsworthy, a charter to make a turnpike or plank road through the Little Missouri bottom.

An act to incorporate the Cane Hill Collegiate Institute.

An act to exempt Ozark Institute from taxation.

An act to call in the scrip of Montgomery county.

An act to incorporate the Soulesberry College at Batesville, Arkansas.

An act to incorporate the Odd Fellows' Hall Association of Fort Smith, Arkansas.

An act to legalize the will of William Pescod, deceased.

An act to incorporate the Board of Trustees of the Little Rock Masonic and Odd Fellows' Hall.

An act for the relief of Eleazer T. Wells of Chicot county, Arkansas.

An act to change the time of holding the Probate court of Green county.

An act making appropriation to pay costs in the case of Robinson Lytle and others, against the State and others.

An act supplementary to an act entitled an act to incorporate the Jennings' Falls Manufacturing Company, approved, 8th January, 1845.

An act to change the time of holding the Probate court of Scott county.

An act in relation to the county tax on lands forfeited to the State and sold by the Auditor or redeemed at the State Treasury.

A memorial to the Congress of the United States in relation to a National Hospital at the Hot Springs in this State.

LUKE E. BARBER,
Private Secretary.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I have the honor to present for your Honor's signature an act to amend the law under the head of limitation.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Brewton introduced a bill to be entitled an act for the relief of Thomas A. Howell of Pope county.

Which was read a first time.

On motion of Mr. Brewton the rules were dispensed with and the bill was read a second time and ordered to a third reading on to-morrow.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrolled bills have examined an act to incorporate the Ouachita and Red River plank road company.

Also an act to incorporate Joint Stock Manufacturing Companies.

Also an act to authorize George H. Morton of Izard county to change the Military road running by his house.

Also an act amendatory of an act entitled an act to incorporate the town of Washington.

Also an act for the relief of Andrew Birge of the county of Lawrence.

Also an act to blend all the school funds of Arkansas county in support of common schools, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Mr. Trapnall presented the following communication from Mr. Cumins, Land Attorney and State Collector:

LITTE ROCK, ARK.,
Dec. 31st, 1850.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives.

With as little delay as the nature of the work, and the time I have been enabled to devote to it would permit, I have made out and herewith transmit to the House of Representatives, in obedience to the resolution of the 19th instant, an abstract of all collections made, and payment with the State Treasury on account of the 500,000 acre grant of university fund.

This abstract is correct as far as it goes, but, still it is not impossible that there may be omissions in it, in consequence of the haste of preparation.

The names in this abstract indicate the persons upon whose bonds or entries the payments were made. The dates on the left side of the page, the date of the payment to me or some other public officer authorized to receive, and at which the debtor is entitled to credit, the dates on the right hand side of the page, show the time of payment into the Treasury.

It perhaps is needless to say that the sums stated opposite the names are the gross amounts collected; and these sums less 5 per cent. commissions on those sums collected prior to the 2nd January, 1849, and 2 1-2 per cent. commission on those collected since the latter date, were paid into the Treasury—the fees or commissions being always deducted on payment to the Treasury—though the debtors are entitled to credit for the gross amounts named in the abstracts. It was the habit of the late Treasurer, and to some extent I believe of the present Treasurer, when persons applied in my absence to pay money upon bonds in my hands for collection, or supposed to be in my hands, to receive payments and give receipts therefor in the same form as if I had collected and paid in the money.

What number of receipts were given, or what amounts were received in this manner, of course I do not know. Duplicates of such receipts were sometimes handed to me by the Treasurer, and those are included in the above abstract. Annexed to the abstracts of each fund are statements showing the amounts collected and not paid into the Treasury on account of each fund, and which will be paid in forthwith, or as soon as the moneys are received on the drafts.

E. CUMMINS, Land Attorney,
and State Collector, Ark's.

Mr Harris introduced a bill to be entitled an act to prohibit betting on elections in this State.

Which was read a first time.

On motion of Mr Harris the rules were dispensed with and the bill read a second time.

On motion of Mr. Sevier the bill was rejected.

Mr Denton introduced the following Joint Resolution:

Whereas, it is the interest of the State that this General Assembly adjourn at as early a day as practicable.

Resolved, That no new bill be introduced in this House after tomorrow, except the same come from a standing or select committee, until all the business on the Clerk's table be taken up and disposed of.

Which was not adopted.

Mr *M*orton introduced a bill to be entitled an act for the relief of Allen R Stone, of Crawford county.

Which was read a first time.

On motion of *M*r. Morton the rules were dispensed with and the bill was read a 2d and 3d time and passed.

*M*r. Imboden, from the select committee to whom was referred the petition of sundry citizens of Smithville, reported a bill to be entitled an act to incorporate the town of Smithville, Lawrence county Arkansas.

Which was read a 1st time.

On motion of Mr. Imboden the rules were dispensed with and the bill was read a 2d and 3d time and passed.

The orders of the day were taken up.

Senate bill No. 113 to be entitled an act to amend section 108 of chapter 4 of the Digest of Arkansas; was taken up and read a 1st time.

On motion of Mr. Patrick the rules were dispensed with and the bill read a second time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill was read a third time and passed.

Mr. Carroll moved to take up Senate Joint resolution, approving the course of our delegation in Congress, in regard to the slavery question.

Mr. McRae introduced the following

RESOLUTION:

Resolved, by the House of Representatives, That the motion to reconsider the vote taken on Tuesday the 24th inst., upon the motion to lay upon the table the resolution from the Senate, upon the subject of southern rights, be postponed until this evening, at half past six o'clock, and that the House will then meet for the purpose of taking the subject of said resolution under consideration, and will continue so to meet at half past 6 o'clock, each consecutive evening until the matter is disposed of.

On motion or Mr. Tobey said resolution was rejected.

On motion of Mr. Foreste leave of absence was granted to Mr. Yochum.

On motion of Mr. Bailey leave of absence was granted to Mr. James.

Mr. Basham moved to lay Mr. Carroll's motion on the table till Friday next.

Mr Tobey called for the ayes and noes on said motion, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Ayres, Bailey, Basham, Billingsley, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Farmer, Foreste, Gordon, Gilmer, Green, Hardin, Harris, Imboden, Jackson, Johnson, Kinsworthy, Lafferty, Miller, Mitchell, McIlroy, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Sevier, Simpson, Sadler, Trapnall, Tebbetts, Woodward, Watson, and Mr. Speaker—43.

Those who voted in the negative, are

Messrs. Baker, Blakemore, Bradley, Bruton, Carroll, Eaton, Emerson, Embry, Ferguson, Fletcher, Hart, Leslie, McRae, Rogers, Russell, Rosson, Steward of Crawford, Stuart of Green, Sissel, Trimble, Tappan, Tobey, Walker, Witherspoon, Whittington, and Wills—26.

So the motion to lay on the table, carried.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the 1st, 2d, 3d, 4th and 5th amendments of the House to Senate bill 53 to be entitled an act to provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States, but refuse to concur in the 6th amendment made by the House to said bill, which is herewith returned for your further action.

JOHN M. ROSS,
Sec'y of Senate.

On motion of Mr. Trapnall the House adhered to its amendment to Senate bill 53 to be entitled an act to provide for the reclaiming of the swamp and overflowed lands donated to this State by the U. States, and thus the Speaker appointed a committee of five to confer with such committee as might be appointed on the part of the Senate concerning the disagreement between the House and the Senate.

Whereupon the Speaker appointed Messrs. Trapnall, Fletcher, Preston, Bradley, and Withersoon, as the committee on the part of the House.

Mr. Miller introduced the following

RESOLUTION:

Resolved, That for the convenience of the Representatives, seats be arranged for the ladies within the Hall of the House.

Which was adopted.

House bill No. 97 to be entitled an act to create the office of geologist for the State of Arkansas, was taken up and read.

*M*r Foreste moved to reject said bill.

Mr Leslie called for the ayes and noes, which was sustained, and the roll called.

Those members who voted in the affirmative are

Messrs. Atkins, Anderson, Ayres, Basham, Billingsley, Bruton, Chandler, Denton, Dodson, Dodd, Eaton, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hardin, Harris, Imboden, Jackson, Johnson, Kinsworthy, Leslie, Lafferty, Miller, *M*itchell, McIlroy, Moore, Nettles, Rogers, Sevier, Simpson, Sadler, Trimble, Tobey, Walker, Wills, and Watson—38.

Those who voted in the negative, are

Messrs. Armstrong, Bailey, Blakemore, Bradley, Carroll, Cauthron, Cline, Emerson, Embry, Ferguson, Hart, McRae, Murph, Patrick, Preston, Russell, Pyburn, Steward of Crawford, Sissel, Trapnall, Tebbetts, Witherspoon, Whittington, Woodward, and Mr. Speaker—25.

So said bill was rejected.

Senate bill No. 73 to be entitled an act to incorporate the Fountain Hill male and femal academy in Ashley county, was taken up and read a first time.

On motion of Mr. Rogers the rules were dispensed with and the bill read a 2d and 3d time.

On motion of Mr. Patrick the House adjourned.

T. B. FLOURNOY,
Speaker of the House

WEDNESDAY, Jan. 1, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, Chaplain.

Mr. Jackson was called to the chair.

The journal of yesterday was read and approved.

Petitions from counties were in order.

Mr. Speaker resumed the chair.

Mr Rosson presented the petition of A C Jeffrey and others, citizens of Izard county, asking the legislature to change the name of the town of Mount Vernon, to Mount Clive.

Which was, on motion of Mr. Rosson, referred to a select committee, consisting of

Messrs. Rosson, Embry, and Billingsley.

Mr. Pyburn presented the petition of A L Watson and others, citizens of Monroe county, praying the legislature to pass an act increasing the pay of jurymen in magistrates courts,

Which was, on motion of Mr. Pyburn referred to a select committee, consisting of

Messrs. Pyburn, James and Lafferty.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate refuse to assent to House bill No. 200, to be entitled an act to exempt a homestead from execution or forced sale.

The Senate have adopted and passed the substitute of the House for Senate bill 15 to be entitled an act to change the mode of summoning petit jurors as prescribed in the Revised Statutes, chap. 194, sections 9, 10, 11, 12, 13, 14 and 15.

The Senate have concurred in the amendment of the House to the amendment of the Senate to the resolution of the House fixing the time to go into the election of Treasurer, and have amended the same by striking out 11 o'clock, a. m., and inserting 3 o'clock, p. m. in lieu thereof, in which amendment your honorable body is respectfully asked to concur.

Said resolution is herewith returned.

The Senate have assented to House bill No. 208 to be entitled an act for the relief of Morehead Wright.

Also an act for the relief of John Hartgraves, late sheriff of Union county, with an amendment thereto, in which your honorable body is respectfully asked to concur.

All of which are herewith returned.

The Senate have passed bill 131 to be entitled an act for the relief of Wm C Bevens.

Also bill No. 124 to be entitled an act to pay Gen. Allen Wood, and C M Cox, for military services.

Also bill No. 121 to be entitled an act for the relief of John H. Hammock.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have concurred in the resolution of the House of Representatives appointing a committee of conference on the disagreement of the House of Representatives to Senate bill No. 53 to be entitled an act to provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States, and have appointed Messrs. Underhill, Watkins and Izard, a committee on the part of the Senate to confer with the committee on the part of the House.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Fletcher from the committee on ways and means to whom was referred House bill No. 160 to be entitled an act for the relief of certain persons therein named, reported the same back to the House and recommended its passage.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a 3d time and passed.

Mr. Fletcher from the committee on ways and means to whom was referred House bill 223 to be entitled an act to amend the 14 and 15th sections of chapter 139 of the Statutes, and reported the same back to the House and recommended its rejection.

On motion of Mr. Fletcher, said bill was laid on the table for the present.

Mr Fletcher from the committee on ways and means reported to the House a bill to be entitled an act to compensate James A Hutchings for services as clerk in the Treasurer's office.

Which was read a first time.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a 2d and 3d time and passed.

Mr. Fletcher from the committee on ways and means to whom was referred Senate bill No. 110 to be entitled an act amendatory of 139th chapter of the Digest, reported the same back to the House and recommended its rejection.

The question then arose, shall the report of the committee be adopted.

Mr. Patrick called for the ayes and noes, which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Ayers, Billingsley, Brewton, Chandler, Cline, Denton Dodson, Dodd, Emerson, Foreste, Gilmer, Kinsworthy, Lafferty, Murph, Steward of Crawford, Sevier, Simpson, Sadler, and Trimble—19.

Those members who voted in the negative, are

Messrs Adams, Atkins, Anderson, Armstrong, Bailey, Baker, Basham, Blakemore, Bradley, Carroll, Cauthron, Eaton, Embry, Ferguson, Farmer, Fletcher, Greene, Hart, Hardin, Harris, Imboden, James, Johnson, Leslie, Miller, Mitchell, McIlroy, McRae, Moore, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Stuart of Green, Sissel, Tappan, Trapnall Tebbetts, Walker, Whittington, Woodward, Wills, Watson, Yochum and Mr. Speaker—49.

So the report was not adopted.

On motion of Mr. Patrick, the rules were dispensed with and the bill read a 3d time.

The question was then put, shall the bill pass.

Mr. Johnson called for the ayes and noes, which call was sustained and the roll called.

Those members voting in the affirmative, are

Messrs Adams, Atkins, Armstrong, Bailey Baker, Basham, Bradley, Carroll, Cauthron, Ferguson, Farmer, Fletcher, Greene, Hart, Hardin, Harris, Imboden, James, Johnson, Leslie, Miller, Mitchell, McIlroy, Morton, Nettles, Patrick, Preston, Russell, Stuart of Green, Tappan, Trapnall, Tobey, Walker, Whittington, Woodward and Mr. Speaker—36.

Those members who voted in the negative, are

Messrs Ayers, Billingsley, Blakemore, Brewton, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Foreste, Gilmer, Kinswortky, Lafferty, McRae, Murph, Moore, Pyburn, Rogers, Rosson, Steward of Crawford, Sissel, Sevier, Simpson, Sadler, Trimble, Tebbetts, Wills, Watson, and Yochum—33.

So the bill was passed.

Mr. Bailey was called to the chair.

Mr. Fletcher from the committee on ways and means to whom was referred House bill 166 to be entitled an act to amend the revenue laws of this State, reported the same back to the House unfavorably and recommended its rejection.

Which reported was adopted and the bill rejected.

Mr. Fletcher from the committee on ways and means to whom was referred the petition of Sackett J. Bennett and Catharine E. Waltman, administrators of Jacob Waltman, deceased, reported the same back to the House unfavorably.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary, to whom was referred Senate resolution, relative to sending a delegate to the world's convention to be held in London, reported the same back to the House unfavorably.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 210, to be entitled an act to provide for the relief of the lien of the State in certain cases, reported the same back to the House with an amendment and recommended its passage, which amendment was adopted.

On motion of Mr. Trapnall the rules were dispensed with and the bill as amended was read a 3d time.

On motion of Mr. Brewton the bill was laid on the table till to-morrow morning.

Mr Trapnall from the committee on the judiciary, to whom was referred Senate bill No. 103, to be entitled an act to amend 18th section of chapter 71 of the Digest of the Statutes of Arkansas, reported the same back to the House unfavorably, and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill 107 to be entitled an act supplementary to an act entitled an act to prevent speculation in donation land, reported the same back to the House unfavorably and recommended its rejection.

Which report was not adopted.

On motion of Mr. Ferguson, the rules were dispensed with and the bill read a 3d time.

On motion of *Mr*. Adams, the bill was laid on the table until to-morrow.

Mr. Tappan made the following

REPORT:

Mr. Speaker,

The committee on enrolled bills, have examined a resolution instructing our Senators in Congress and requesting our Representative to exer ttheir influence with the congress of the United States to procure the establishment of a daily mail line route in post coaches or on led horses from Little Rock, in this State, to Memphis Tenn.

Also a resolution instructing our Senators and requesting our Representative in Congress to exercise their influence to procure the establishment of a mail route from Charleston in Franklin county, to Waldron in Scott county.

Also an act to repeal third section of an act approved March 3rd, 1838, entitled an act appointing trustees for the town of Washington, in Heampstead county.

Also an act to amend 4th chapter of the Revised Statutes.

Also an act to exempt libraries in this State from attachment and sale under execution.

Also an act to authorize Jonathan McKenney to build a toll bridge across Bayou meto.

Also an act to incorporate the Mississippi and Bartholomew plank road company, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr. McRae made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill No. 213, to be entitled an act to incorporate the Eldorado plank road company have had the same under consideration and have instructed me to report the same back with the following amendments and recommend its passage.

McRAE,Chairman,

The amendment's were read and adopted.

On motion of *Mr*. McRae the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Preston made the following

REPORT:

Mr. Speaker,

The select committee to whom was referred a resolution of the House instructing them to inquire into and report to this House whether the State of Arkansas has lost any amount of money by the conduct of the attorney for the principal bank at Little Rock in the discharge of his official duties, and report without any unnecessary delay, have had the same under consideration, and have instructed me to report.

That from the indifinite character of the resolution they are at a loss to know what particular subject or subjects the House desires to have investigated in connection with the conduct of the attorney of the Bank. They believe that a strict compliance with the terms of the resolution would make it obligatory upon them to examine into the official conduct of said office during the whole period that he has occupied that station. This would require an amount of labor and an extent of time on the part of the committee that is utterly impracticable for them at this late period of the session to devote to the subject, it would open a field of inquiry that would embrace a great variety of transactions which this office has had in his official capacity with the large number of persons who have had business with the banks and would necessarily devolve upon the committee the necessity of sending for persons and papers, a power which the House has not deemed it necessary to invest them with by the terms of the resolution. They have therefore instructed me to ask the House for instructions of a more specific character in the premises and in the event that they are not given by the House to desire that the committee be discharged from the further consideration of said resolution.

PRESTON, Chairman.

Mr. Patrick from the select committee to whom had been referred House bill No. 207 to be entitled an act to incorporate the Memphis and St. Francis plank road company, reported the same back to the House with sundry amendments and recommended its passage.

The amendments were then read and adopted.

On motion of Mr. Patrick the rules were dispensed with and the bill was read a 3rd time and passed.

Mr. Lafferty made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill No. 222, to be entitled an act to incorporate the town of Clinton, have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

LAFFERTY, Chairman.

On motion of Mr. Lafferty the rules were dispensed with and the bill read a 3rd time and passed.

Mr. Preston from the select committee to whom was referred House bill to be entitled an act to promote the navigation of Big Creek in the county of Philips, reported the same back to the House and recommended its passage.

On motion of Mr. Preston, the rules were dispensed with and the bill read a 3rd time and passed.

Mr. Watson from the select committee to whom was referred House bill No. 195, to be entitled an act to incorporate the town of Eldorado, reported the same back to the House and recommended its passage.

On motion of Mr. Watson the rules were suspended and the bill read a third time and passed.

On motion of Mr. Foreste Senate bill No. 124, to be entitled an act to pay Gen. Allen Wood and Lieut. J. M. Cox for military services, Was taken up and read a 1st time.

On motion of Mr. Foreste the rules were suspended and the bill was read a second time, and

On motion of Mr. Preston said bill was referred to the committee on the militia.

On motion of Mr. Denton House bill No. 214, to be entitled an act for the relief of John Hargrave, late sheriff of Marion county, was taken up and the amendment of the Senate thereto concurred in.

Mr. Trimble gave notice that he would to-morrow or some day thereafter ask leave to introduce a bill to donate the forfeited lands in Independence county to Soulesberry College at Batesville.

Mr. Stuart of Green introduced the following Joint Resolution:

Resolved, by the General Assembly of the State of Arkansas, That the following amendment be proposed to the Constitution of the State of Arkansas, to wit:

1st. That the 29th section of the 4th article of the Constitution be amended so as to allow the counties of Green, Poinsett and Desha to be reduced to 800 square miles, and that a new county may be formed out of the counties of Green and Poinsett with the like dimensions.

Which was read a first time.

The question then arose upon the adoption of the amendment and said resolution was ordered to a second reading and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Anderson, Billingsly, Bradley, Brewton, Carroll, Cauthron, Chandler, Dodd, Eaton, Embry, Ferguson, Foreste, Fletcher, Gordon, Greene, Hart, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, Murph, Morton, Moore, Nettles, Patrick, Preston, Rogers, Russell, Steward of Crawford, Stuart of Green, Sissel, Simpson, Sadler, Tappan, Tobey, Walker, Whittington, Woodward, Wills, Yochum and Mr. Speaker—54.

Those members who voted in the negative, are

Messrs. Ayres, Basham, Cline, Denton, Dodson, Farmer, Imboden, McRae, Pyburn, Rosson, Trimble, Trapnall and Witherspoon—13

Whereupon the Speaker announced that the proposed amendment having received a constitutional majority it was passed to a second reading.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Sen-

ate have adopted the report of the committee of conference appointed on the disagreement of the two Houses on the 6th amendment of the House to Senate bill No 53, to provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States and have concurred in the amendment as amended by the committee.

JOHN M. ROSS
Sec'y of Senate.

Mr. Trapnall from the committee of conference made the following

REPORT:

Mr Speaker:

The committee of conference on the part of the House on the swamp land bill have had a meeting with the committee of the Senate, and come to the conclusion to recommend to the House to recede from the 6th amendment made by the House to the bill of the Senate so far as to strike out the words, "counties—corporations."

TRAPNALL, Ch'n.

Which was adopted.

On motion of Mr. Morton House bill No —, to be entitled an act to establish the county of Sebastian, was taken up and read a third time and passed.

On motion of Mr. Trapnall the House took a recess till 3 o'clock, P. M.

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3 O'CLOCK, P. M. Jan. 1, 1851.

The House convened.

Mr. Whittington introduced a bill to be entitled an act to grant a charter to Fielding Strawn to make a turnpike.

Which was read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill read a 2d and 3d time and passed.

Senate bill No 87, to be entitled an act to prevent persons from selling Indians ardent spirits or intoxicating liquors,

Was taken up and read a first time.

On motion of Mr. Cline the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

Mr. Tebbetts introduced a bill to be entitled an act to authorize the administrator of William Barnett, alias William D. Barnette to convey certain land.

Which was read a first time.

On motion of Mr. Tebbett the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr. Eaton introduced a bill to be entitled an act to amend chap. 104 of the Statutes of Arkansas under the head of married women.

Which was read a 1st time.

On motion of Mr. Eaton the rules were dispensed with and the bill was read a second time and referred to the committee on the judiciary.

On motion of Mr. Carroll Senate bill No 93, to be entitled an act to authorize certain alterations in the Supreme Court room and for other purposes,

Was taken up and read a 1st time.

On motion of Mr. Tebbets the rules were dispensed with and the bill was read a 2d time and referred to the committee on the judiciary.

House bill No 133, to be entitled an act for the relief of Anthony Smith,

Was taken up and read a 2d time.

Mr. Woodward moved to amend by inserting " that all tavern or grocery keepers shall be authorized to collect their accounts and claims as other citizens."

Mr. Tebbetts moved to amend the amendmentent by adding, to wit:

" That this act shall not be printed with the acts of this General Assembly.

On motion of Mr. Farmer the amendment and the amendment to the amendment were rejected.

On motion of Mr. Farmer the rules were dispensed with and the bill was read a 3d time.

The question then arose, " shall the bill pass.

Mr. Murph called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Ayres, Basham, Brewton, Cauthron, Chandler, Denton, Dodson, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hardin, Harris, Imboden, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Moore, Patrick, Steward of Crawford, Stuart of Green, Sissel, Sadler, Tobey and Yochum—35.

Those members who voted in the negative, are

Messrs. Adams, Anderson, Armstrong, Baker, Billingsly, Blakemore, Bradley, Carroll, Cline, Dodd, Hart, Jackson, James, Kinsworthy, McRae, Murph, Nettles, Preston, Pyburn, Rogers, Rosson, Sevier, Simpson, Trimble, Tappan, Trapnall, Tebbetts, Walker, Whittington, Woodward, Wills. Watson and Mr. Speaker—33.

So the bill was passed.

On motion of Mr. Trapnall the joint resolution of the House relative to going into the election of Treasurer and amendments were laid on the table indefinitely.

House bill entitled an act to grant a charter to Wm. F. S. Barkman to erect a toll bridge on Bayou de Roche, was taken up, and

On motion of Mr. Trapnall the Senate's amendment thereto concurred in.

House bill No 62, to be entitled an act concerning the treatment of slaves, was taken up and read a 3d time.

Mr. James offered the following amendment as a rider to the bill.

1st. That it shall be the duty of every owner, or employer or overseer of any slave whenever he may give such slave a written pass to leave his premises, to state in said pass to what place or places he is willing to permit such slave to go.

2d. That no slave shall be permitted to use or cary any gun, rifle or other offensive or defensive weapon under any pretence whatever, under such penalties as are now prescribed by law.

Mr. Foreste moved to reject the bill and the amendments.

Mr. Sevier called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Anderson, Ayres, Basham, Billingsly, Brewton, Cauthron, Chandler, Dodson, Ferguson, Farmer, Foreste, Gordon, Harris, Jackson, Johnson, Miller, Moore, Nettles, Rosson, Simpson, Sadler. Tebbetts and Walker—24.

Those members who voted in the negative, are

Messrs. Atkins, Armstrong, Baker, Blakemore, Bradley, Carroll, Cline, Dodd, Eaton, Emerson, Embry, Fletcher, Gilmer, Greene, Hart, Hardin, James, Kinsworthy, Leslie, Lafferty, Mitchell, McIlroy, Mcrae, Murph, Morton, Patrick, Preston, Pyburn, Rogers, Russell, Steward of Crawford, Sissel, Sevier, Trimble, Tappan, Trapnall, Tobey, Whittington, Woodward, Wills, Watson and Mr. Speaker—42.

So the motion to reject was lost.

Mr. Whittington was called to the chair.

Mr. Preston moved to reject the amendment offered by Mr. James.

Mr. James called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Ayres, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Emerson, Farmer, Foreste, Fletcher, Gorden, Gilmer, Hart, Hardin, Harris Jackson, Johnson, Leslie, Miller, McIlroy, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Sissel, Simpson, Sadler, Tappan, Tebbetts, Walker, Woodward, Watson and Mr. Speaker—50.

Those members who voted in the negative, are

Messrs. Carroll, Embry, Ferguson, Greene, James, Kinsworthy, Lafferty, Mitchell, McRae, Rogers, Sevier, Trimble, Trapnall, Tobey and Whittington—15.

So the amendment was rejected.

Mr. Speaker resumed the chair.

The question then arose upon the passage of the bill.

Mr. Fletcher called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Carroll, Fletcher, James, Kinsworthy, Leslie, Mitchell, Murph, Morton, Preston, Sissel, Tappan, Trapnall, Tobey and Whittington—14.

Those members who voted in the negative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Ayres, Baker, Basham, Billingsley, Blakemore, Bradley, Brewton, Cauthron, Chandler, Cline, Dodson, Dodd, Eaton, Embry, Ferguson, Farmer, Foreste, Gordon, Gilmer, Hart, Hardin, Harris, Jackson, Johnson, Lafferty, Miller, McIlroy, McRae, Moore, Nettles, Patrick, Pyburn, Rogers, Russell, Rosson, Steward of Crawford, Stuart of Green, Sevier, Simpson, Sadler, Trimble, Tebbetts, Walker, Woodward, Watson and Mr. Speaker—50.

So the bill did not pass.

On motion of Mr. Watson the House adjourned.

THURSDAY, JAN. 2d, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

Mr. Foreste was called to the chair.

Petitions from counties were in order.

Mr. Patrick presented the petition of sundry citizens of St. Francis county praying that the township of Cache in St. Francis county be stricken off and attached to Jackson county.

Said petition was, on motion of *M*r. Patrick referred to a select committee, of which; *M*r. Witherspoon is chairman.

*M*r. Carroll, with leave, introduced a bill to be entitled an act appropriating $193 to J. H. Hammack, in payment of account due him as allowed and certified by the inspectors of the Penitentiary.

Which bill was read a first time.

On motion of *M*r. Carroll the rules were dispensed with and the bill read a second time and referred to the committee on ways and means.

Mr. Patrick from the committeee on education to whom was referred House bill 164, to be entitled an act to amend the common school system in Arkansas, reported the same back to the House unfavorably.

On motion of Mr. Carroll the report and bill were ordered to lay on the table till Saturday next, and 200 copies of the bill were ordered to be printed.

Reports from select committees were in order.

Mr. James with leave introduced a bill to be entitled an act to incorporate the Jefferson division No. 24 of the Sons of Temperence.

Which was read a first time.

On motion of Mr. James the rules were suspended and the bill was read a 2nd time and referred to a select committee, consisting of Messrs James, Cline, and Johnson.

Mr. Farmer from the select committee to whom was referred Senate bill No. 114, to be entitled an act to incorporate the New Prospect Cotton and Woolen Factory at Pittsburg in Johnson county, Arkansas, reported the same back to the House and recommended its passage.

On motion of *M*r. Farmer the rules were suspended and the bill read a 3rd time and passed.

Mr. Tebbetts offered the following

RESOLUTION:

Resolved, by the General Assembly of the State Arkansas, That the two houses of the General Assembly, proceed to the election, of Auditor, Treasurer, Land agent and Land attorney and State collector for this State, on this day at 3 o'clock p. m., in the Hall of the House of Representatives.

Which was read a first time.

On motion of Mr. Carroll the rules were suspended, and the resolution was read a 2nd time.

Mr. Denton moved to amend by inserting "and Financial Receiver."

Which was rejected.

The question then arose upon the adoption of the resolution, which was decided in the affirmative.

Mr. Rosson made following

REPORT·

Mr. Speaker—

The select committee to whom was referred the petition of sundry citizens of Izard county, have had the same under consideration and have instructed me to report the accompaning bill to be entitled an act to change the name of Mt. Vernon county seat of Izard county, and recommended its passage.

ROSSON, Chairman.

Said bill was read a 1st time.

On motion of Mr. Rosson the rules were suspended and the bill was read a 2nd and 3rd time and passed.

The following message from the Senate was received by the Secretary:

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have assented to House bill No. 220, to be entitled an act for the relief of Joseph T. Mileham and T. P. Sadler, with an amendment thereto to which the concurrence of the House of Representatives is respectfully asked.

Also to House bill No. 229, to be entitled an act for the relief of Allen R. Stone, with an amendment thereto to which the concurrence of the House of Representatives is respectfully asked.

Also to house bill 225, to be entitled an act for the relief of Mrs. Cross.

Also to house bill No. 86, to be entitled an act making appropriation to pay Wm. E. Woodruff,

All of which are herewith returned.

The Senate refuse to assent to house bill No. 226, to be entitled an act to exempt certain counties from the *viva voce* system of voting.

The Senate have passed bill No. 122, to be entitled an act to appoint special administrators in certain cases.

Also bill No. 129 to be entitled an act to arrange the Senatorial districts and apportioning the Senators and Representatives among the several counties of the State of Arkansas.

Also bill 133, to be entitled an act to compensate the State Treasurer for receiving and disbursing the Internal Improvement and Seminary funds.

All of which are herewith transmitted for the assent of the House of Representatives.

I have the honor to present for your honor's signature, an act to provide for the holding certain elections in certain cases.

Also an act to give an additional place of voting in the town of Fayetteville in Washington county, Van Buren and Fort Smith in Crawford county and the city of Little Rock, in Pulaski county.

Also a joint resolution instructing our Senators and requesting our Representative in Congress, to use their exertions to procure the establishment of a mail route from Cadron in Conway county, to Clinton in Van Buren county.

Also a resolution recommending the acquisition of the Island of Cuba by the United States as an object to be desired.

Also an act to legalize the noncupative will of Charles Robertson, dec'd, and for other purposes.

Also an act to change the mode of summoning petit jurors as prescribed in the Digest of the Statutes of Arkansas.

Also an act supplementary and amendatory of an act entitled an act to incorporate the Clarskville Institute approved Jan'y 1st, 1849.

JOHN M. ROSS,
Secretary of Senate.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to incorporate the town of Rock Port.

Also an act to grant W. F. S. Barkman, a charter to erect a toll bridge on the Bayou de Roche.

Also an act for the relief of John Hargraves, late sheriff of Marion county.

Also an act to call in the Scrip of Mississippi county.

Also an act to empower the circuit courts to alter or change names and for other purposes.

Also an act for the relief of Morehead Wright of Lafayette county and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Mr. Trapnall from the committee on the judiciary to whom was referred the communication of the Secretary of State reported to the House the following

RESOLTION:

Resolved, by the General Assembly of the State of Arkansas, That the secretary of State be and he is hereby instructed to give notice to the marshall of the United States, and the clerk of the circuit and district court of the United States, that the rooms now occupied by them in the public buildings will be required by the State on the 1st day of March, 1851, and if possession be not given on that day that he take the necessary steps to obtain possession,

Which was read a 1st time.

On motion of Mr. Trapnall the rules were suspended and the resolution read and adopted.

Mr. Trapnall from the committee on the judiciary, to whom was referred Senate bill No. 76, to be entitled an act for the relief of S. H. Hempstead, reported the same back to the House without amendment and recommended its passage.

On motion of Mr. Carroll the rules were suspended and the bill was read a 3rd time.

Mr. Fletcher moved to reommit the bill to the committee on ways and means.

Which motion prevailed.

Mr. Watson from the committee on ways and means to whom was referred Senate bill No. 111, to be entitled an act making appropriations to pay bank officers for the year 1849 and 1851, and for arrearages due, reported the same back to the House, with an amendment, and recommended its passage.

On motion of Mr. Watson the rules were dispensed with and the bill as amended read a 3rd time and passed.

On motion of Mr. Cline, bill 71, to be entitled an act to unite the Seminary and 17th section funds of Washington county in support of common schools, was taken up, read and laid on the table for the present.

On motion of Mr. Flournoy the proposed amendment to the constitution was taken up and read a 2nd time.

The question then arose upon ordering the same to a 3rd reading and the roll was called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Anderson, Armstrong, Bailey, Baker, Billingsley, Bradley, Brewton, Carroll, Cauthron, Chandler, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Greene, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty Miller, Mitchell, McIlroy, Murph, Morton, Moore, Nettles, Patrick, Preston, Rogers, Russell, Steward of Crawford, Stuart of Green, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Tobey, Walker, Witherspoon, Whittington Woodward, Wills, Yochum and Mr. Speaker—56.

Those members who voted in the negative, are

Messrs Ayers, Blakemore, Cline, Denton, Dodson, Gilmer, Imboden, Pyburn, Rosson, Trapnall, and Watson—11.

The amendment having received a constitutional majority, the speaker announced that it had passed to a 3rd reading.

On motion of Mr. Johnson, house bill No. 223, to be entitled an act to amend the 14th and 15th sections of chaprer 139 of the Statutes, was taken up.

On motion of Mr. Tebbetts the rules were suspended and the bill was read a 3rd time and passed.

Senate bill No 107, to be entitled an act supplementary to an act entitled an act to prevent speculation in donation lands, was taken up, read a 3rd time and rejected.

Senate bill No. 62 to be entitled an act to repeal the 6th sect. of 44th chap. of Digest giving circuit courts jurisdiction of assault and battery cases, was taken up.

Mr. Chandler moved to suspend the rules that the bill might be read a second time which was lost.

Senate bill No. 131 to be entitled an act for the relief of W. C. Bevens was taken up and read a 1st time.

On motion of Mr. James, the rules were suspended and the bill was read a 2nd time.

On motion of Mr. Denton, the bill was referred to the committee on ways and means.

On motion of Mr. Tobey, house bill No. 227, to be entitled an act for the relief of Thomas A. Howell of Pope county, was taken up and read a 3rd time and passed.

Senate bill No. 125 to be entitled an act to authorize the sale of forfeited lands, was taken up and read a 1st time.

On motion of Mr Patrick the rules were suspended and the bill was read a 2d time, and was on motion of Mr Fletcher referred to the committee on public lands.

Senate bill No. 98, to be entitled an act amendatory of an act entitled an act to amend the 153rd chapter of the digest, under title of Runaway Slaves.

Was taken up and read a 1st time.

On motion of Mr Trapnall the rules were suspended and the bill was read a 2d time.

And on motion of Mr Patrick referred to a select committee, consisting of Messrs Patrick, Fletcher and Preston.

The following message from the Senate was received by the Secretary:

Mr. Speaker

I am instructed to inform your honorable body that the Senate have concurred in the amendment of the House of Representatives to Senate bill No. 60, to be entitled an act to give an additional place of voting in the town of Fayetteville in Washington county, and Van Buren and Fort Smith in Crawford county.

Also to joint resolution of the House of Representatives to go into the election of Auditor, Treasurer, Land Agent and Land Attorney and Collector of this State.

I am also instructed to inform your honorable body that the Senate have passed Senate bill No. 137, to be entitled an act for the relief of John W. Fullerton, late sheriff of Hot Spring county, to which the assent of the House of Representatives is respectfully asked.

JOHN M. ROSS,
Sec'y of Senate.

On motion of Mr Dodd House bill No. 136, to be entitled an act to provide for the sale of the salt springs and lands thereto attached, and to appropriate the proceeds thereof to the support of common schools, was taken up.

On motion of Mr Dodd the rules were suspended and the bill read a 3d time, and laid on the table until Monday next.

Senate bill No. 122, to be entitled an act to appoint special administrators in certain cases, was taken up and read a 1st time.

On motion of Tebbetts the rules were suspended and the bill was read a 2d time and referred to the committee on the judiciary.

House bill No. 210, to be entitled an act to provide for the release of the lien of the State in certain cases, was taken up and read a 3d time.

The question was then put, "shall the bill pass?"

Mr James called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Armstrong, Bradley, Carroll, Cauthron, Fletcher, Hardin, Harris, Imboden, Kinsworthy, Mitchell, McIlroy, Patrick, Preston, Pyburn, Stewart of Green, Sevier, Tappan, Trapnall, Tobey, Walker, Witherspoon, Woodward and Watson, —24.

Those members who voted in the negative, are

Messrs Ayers, Baker, Bassham, Billingsley, Blakemore, Brewton, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Gordon, Gilmer, Hart, Jackson, James, Johnson, Leslie, Lafferty, Miller, McRae, Murph, Morton, Moore, Nettles, Rogers, Russell, Rosson, Steward of Crawford, Sissel, Simpson, Sadler, Trimble, Whittington and Wills—41.

So the bill was rejected.

Senate bill No. 131, to be entitled an act for the relief of John W. Fullerton late Sheriff of Hot Spring county was taken up and read a 1st time.

On motion of Mr Emerson the rules were suspended and the bill read a 2d time and referred to a select committee consisting of Messrs Emerson, Gilmer and Gordon.

Mr Carroll offered the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of appropriating a sum of money sufficient to pay judgments rendered against the Bank of the State of Arkansas on the notes issued by the Bank when it was in operation under its charter.

Which was adopted.

On motion of Mr Patrick the House took a recess till 2 o'clock, P. M.

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2 O'CLOCK, P. M., Jan'y 2d, 1851.

The House convened.

Senate bill No. 68, to be entitled an act for the more effectual collection of the revenue in Hempstead county, was taken up and read a 1st time.

On motion of Mr Cline the rules were dispensed with and bill was read a second time and referred to the committee on ways and means.

On motion of Mr Dodd House bill No. 72 to be entitled an act to allow jurors and witnesses mileage, was taken up and read a 2d time and referred to the committee on the judiciary.

House bill No. 137, to be entitled an act to change the mode of assessing taxes and for other purposes was taken up and read a 2d time.

And on motion of Mr Foreste the bill was rejected.

On motion of Mr Tebbetts the House took a recess until five minutes before 3 o'clock, P. M.

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5 minutes before 3 o'clock, P. M.

The House convened.

The following message from the Senate was received by the

Secretary:

I am instructed to inform your honorable body that the Senate have passed bill No. 97, to be entitled an act for the relief of Robert A. Watkins.

Also an act for the relief of Braxton C. Crump, sheriff of Crittenden county.

All of which are herewith transmitted for the assent of the House of Representatives.

J. M. ROSS,
Sec'y of Senate.

On motion of Mr Tebbetts the Senate was informed that the House of Representatives was ready to receive the Senate for the purpose of electing an Auditor, Treasurer, Land Agent, and Land Attorney and State Collector.

The Senate now appeared in the Representatives Hall and were seated.

Mr President announced that the object of the convention of the two houses was to elect one State Auditor, one State Treasurer, Land Agent, and Land Attorney and State Collector.

Mr. President further announced that nominations for State Auditor were in order.

Mr. Johnson nominated Elias N. Conway.

Mr Bailey nominated C. C. Danley.

No further nominations being made the rolls were called.

Those members of the House voting for Mr Conway, are

Messrs Billingsley, Blakemore, Bradley, Brewton, Cline, Denton, Dodd, Eaton, Gordon, Harris, Jackson, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Morton, Nettles, Pyburn, Russell, Rosson, Sevier, Simpson, Sadler, Tappan, Tobey, Walker, Witherspoon, Wills, Watson, Wilson, Yochum and Mr. Speaker, —34.

Those members of the House who voted for Mr Danley, are

Messrs Adams, Atkins, Armstrong, Ayers, Bailey, Baker, Bassham, Carroll, Cauthron, Chandler, Dodson, Emerson, Embry, Ferguson, Foresté, Fletcher, Gilmer, Green, Hart, Hardin, Imboden, James, Kinsworthy, Murph, More, Patrick, Preston, Rogers, Steward, of Crawford, Stuart of Green, Sissil, Trimble, Trapnall, Tebbetts, Witherspoon and Woodward—36.

In the Senate Mr Conway received 11 votes—joint vote—45.

In the Senate Mr Danley received 60 votes—joint vote—46.

In the Senate Mr. Ross received 1 vote—1.

Thereupon Mr President announced that no candidate having received a majority of all the votes given there was no election.

The convention then proceeded to ballot a second time.

The roll of the House being called the following members voted for Mr Conway.

Messrs Billingsley, Blakemore, Bradley, Brewton, Cline, Denton, Dodd, Eaton, Farmer, Gordon, Harris, Jackson, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Morton, Nettles, Pyburn, Russell, Rosson, Sevier, Simpson, Sadler, Tappan, Tobey, Walker, Witherspoon, Wills, Watson, Wilson, Yochum and Mr Speaker—35.

Those voting for Mr Danley, are

*M*essrs Adams, Atkins, Armstrong, Ayers, Bailey, Baker, Bassham, Carroll, Cauthron, Chandler, Dodson, Emerson, Embry, Ferguson, Foreste, Fletcher, Gilmer, Green, Hart, Hardin, Imboden, James, Kinsworthy, Miller, Murph, Moore, Patrick, Preston, Rogers, Steward of Crawford, Stuart of Green, Sissel, Tirmble, Trapnall, Tebbetts, Whittington and Woodward—37.

In the Senate *M*r Conway received 12 votes—joint vote—47.

In the Senate *M*r. Danley received 11 votes—joint vote—48.

Whereupon the President announced that C. C. Denley, having received a majority of all the votes cast was duly and constitutionally elected State Auditor for and during the term prescribed by law.

Mr President announced that nominations for State Treasurer were in order.

Mr Williamson of the Senate nominated John H. Crease.

Mr DeShongh of the Senate nominated Jared C. Martin.

No further nominations being made the rolls were called.

Those members of the House who voted for Mr Crease, are

Messrs Adams, Atkins, Armstrong, Bailey, Baker, Billingsley, Bradley, Carroll, Cauthron, Emerson, Embry, Foreste, Fletcher, Gilmer, Greene, Hart, Hardin, James, Kinsworthy, Miller, McRae, Murph, Morton, Nettles, Patrick, Preston, Steward af Crawford, Stuart of Green, Sissel, Simpson, Tappan, Trapnall, Tebbetts, Whittington, Woodward, Wilson and Mr Speaker—37.

Those members who voted for Mr. Martin, are

Messrs Ayers, Bassham, Blakemore, Brewton, Chandler, Cline, Dodson, Dodd, Ferguson, Farmer, Gordon, Harris, Imboden, Jackson, Johnson, Leslie, Lafferty, Mitchell, McIlroy, Moore, Pyburn, Rogers, Russell, Rosson, Sevier, Sadler, Trimble, Tobey, Walker, Wills, Wilson and Yochum—32.

Mr Denton voted for J. A. Hutchings—1.

Mr Eaton voted for Mr Ross—1.

In the Senate Mr Crease received 13 votes—joint vote—50.

In the Senate *M*r Martin received 10 votes—joint vote—42.

Thereupon Mr President announced that John H. Crease having received a majority of all the votes cast was duly and constitutionally elected State Treasurer for and during the term prescribed by law.

Mr President announced that nominations for Land Agent were in order.

Mr Rector of the Senate nominated Lambert J. Reardon.

No further nomination being made the roll was called.

Those members who voted for Mr Reardon, are

Messrs Adams, Atkins, Armstrong, Ayers, Bailey, Baker, Bassham, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Greene, Hart, Hardin, Harris, Imbiden, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Rogers, Russell, Rosson, Steward of Crawford, Stuart of Greeme, Sissel, Sevier, Simpson, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Woodward, Wills, Watson, Yochum and Mr. Speaker—71.

In the Senate Mr. Reardon received 28 notes—joint vote—94.

Thereupon the President announced that Lambert J. Reardon having received a majority of all the votes given was duly and constitutionally elected Land Agent for and during the term prescribed by law.

Mr President announced that nominations for land attorney and State collector were in order.

Mr Carroll of the House nominated Ebenezer Cummins.

No further nominations being made the rolls were called.

Those members who voted for Mr Cummins, are

Messrs Adams, Armstrong, Bailey, Baker, Bassham, Billingsley, Blakemore Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Dodd, Eaton, Embry, Ferguson, Fletcher, Gordon, Gilmer, Greene, Hardin, Hart Harris, Jackson, James, Mitchell, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Rogers, Rosson, Sevier, Simpson, Sadler, Tappan, Trapnall, Tebbetts, Walker, Witherspoon, Woodward, Watson, Yochum and Mr. Speaker.—50.

The following members voted for B. T. Duval:

Messrs Ayers, Denton, Dodson, Russell, Steward of Crawford, Stuart of Greene, Sissel, Trimble and Whittington—9.

The following members voted for Jas. F. Fagan:

Messrs Emerson, Tobey, Wills and Kinsworthy—4.

Messrs Johnson and Lafferty voted for Mr Tappan—2.

*M*r Atkins voted for *M*r N B Burrow—1.

*M*r Leslie voted for Silas C Walker—1.

*M*r Imboden voted for Gaddis E Miller

*M*r Miller voted for Richard Searcy—1.

In the Senate *M*r Cummins received 22 votes—joint vote—72.

Whereupon the President announced that Ebenezer Cemmins having received a majority of all the votes cast, was duly and constitutionally elected Land Attorney and State Collector, for and during the time prescribed by law.

The Senate retired from the Hall of the House of Representatives.

On motion of *Mr* Whittington, the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

FRIDAY, January 3, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

The following message from the Senate was received by the Secretary:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill No. 210 to be entitled an act to incorporate the Rockville Manufacturing Company, with amendments thereto, to which the concurrence of the House is respectfully asked.

Also to House bill 'F' to be entitled an act to change the time of holding the circuit courts in the counties of Ashley, Chicot, Desha, Arkansas, and Jefferson, with amendments thereto, to which the concurrence of the House is respectfully asked.

Also House bill 198 to be entitled an act to change the name of Martha R Weeks to Martha R Cannon, with an amendment thereto, to which the concurrence of the House is respectfully asked.

Also to House bill No. 230 to be entitled an act to incorporate the town of Smithville, with amendments thereto, in which the concurrence of the House is respectfully asked.

Also House bill No. 231 to be entitled an act to compensate Jas. A. Hutchings.

Also House bill No. 193 to be entitled an act to grant a charter to Braxton H. Kinsworthy, to make a turnpike and plank road, with amendments thereto, to which the concurrence of the House is respectfully asked.

All of which are herewith returned.

The Senate have passed bill 136 to be entitled an act to amend an act to provide for the publication of a statement of the receipts and expenditures of public money, as required by the constitution; approved January 4, 1849.

Also bill 138 to be entitled an act for the relief of Thomas Van Meter, of White county.

Also bill No. 135 to be entitled an act to prohibit betting on elections in this State.

Also bill No. 139 to be entitled an act to authorise B W Ayres, to to take possession of the effects of John McKerr, deceased.

Also bill No. 91 to be entitled an act granting corporate powers for certain purposes.

All of which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Chandler was called to the chair.

On motion of Mr. Denton, Senate bill No. 139 to be entitled an act to authorize B W Ayres to take possession of the effects of John M. Kerr, deceased.

Was taken up and read a 1st time.

On motion of Mr. Dodson the rules were dispensed with and the bill was read a 2d and 3d time and passed.

Mr. Tebbetts offered the following:

Resolved, That the General Assembly do adjourn *sine die*, on Saturday the 11th inst, at 10 o'clock, a. m.

Which was read a first time.

On motion of Mr. Tebbetts the rules were suspended and the resolution was read a 2d and 3d time and passed.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act for the relief of Mrs. Cross, widow of Uriah Cross, deceased, late of Randolph county, Arkansas.

Also an act to make an appropriation to pay William E Woodruff, for printing the Governor's Message and accompanying documents.

Also an act to compensate James A Hutchings for services as clerk in the Treasurer's office, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which report was adopted.

Mr Speaker resumed the chair.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker—

The committee on internal improvement have had under consideration House bill to be enttitled an act to grant a charter to George W Robertson, and Blake Little, for the purpose of building and erecting toll bridges on the Batesville road, across L'Anguille river, Brushy lake, Forked slue, and Bayou de Vue, in Poinsett county, and a majority of said committee have instructed me to report the same back to the House with the following amendments thereto, and recommend its passage, to wit:

Strike out the 5th section.

2d. Add the following section:

3d. That this act take effect from its passage.

TEBBETTS, Chairman.

Which report was adopted and the bill as amended read a 3d time and passed.

Mr. Pyburn from the select committee to whom was referred the petition of sundry citizens of Monroe county, reported to the House a bill to be entitled an act amending the act establishing justices courts, and recommended its passage.

Said bill was read a 1st time.

On motion of Mr. Pyburn the rules were dispensed with and the bill read a 2d time.

On motion of Mr. Foreste the bill was referred to the committee on the judiciary.

The following message from the Governor was received by his Private Secretary:

Mr. Speaker—

I am instructed to report to your hon. body that the Governor has approved and signed an act to amend sect. 23 of chapter 145 of the late Revised Statutes of Arkansas, on Schools and School lands.

Also an act to create the office of enrolling clerk to the House of Representatives.

M. L. BELL,
Private Secretary.

Mr. Watson from the committee on ways and means to whom was referred Senate bill 68 to be entitled an act for the more effectual collection of revenue on lands in Hempstead county, reported the same back to the House and recommended its rejection.

Which report was adopted and bill rejected.

Mr. Watson from the committee on ways and means to whom was referred House bill 235 to be entitled an act for the relief of J. H. Hammock, reported the same back to the House and recommended its reference to the committee on the penitentiary.

Which report was adopted.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker—

The committee on internal improvements have had before them the report of the Board of Internal Improvement of Green county, and have instructed me to report said report back to the House and ask to be discharged from its further consideration.

TEBBETTS, Chairman.

Which report was adopted.

Mr. James made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill No. 236 to be entitled an act to incorporate the Jefferson Division No. 24 of Sons of Temperance, had the same under consideration, and have instructed me to report the bill to be entitled an act to incorporate the Grand Division of the order of the Sons of Temperance of the State of Arkansas, and the subordinate Divisions under its jurisdiction, as a substitute therefor, and to recommend its passage.

JAMES, Chairman.

Which substitute was adopted and read a 1st time.

On motion of Mr. James the rules were suspended and the substitute read a 2d and 3d time and passed.

Mr Sadler from the select committee to whom was referred the petition of sundry citizens of Yell county, reported back a bill to be entitled an act for the relief of Mathias Harkey, and recommended its passage.

Which bill was read a 1st time.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a 2d and 3d time and passed.

Mr. Eaton introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to report a bill creating an officer to be elected by this General Assembly, with a salary of $2,000 per annum, to be denominated ———, and clothe said officer with such power as will enable him to settle, wind up, sell out and complete a final settlement of all matters concerning both the Real Estate Bank, as well as State Bank, and such other features in the bill as will best carry out the interest of the State in the premises.

Which was, on motion of Trapnall, laid over until to-morrow.

Mr. Trapnall introduced the following

JOINT RESOLUTION:

Resolved by the General Assembly of the State of Arkansas, That the standing committee on banks be instructed to report forthwith the result of their examination into the condition of the Real Estate Bank.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the resolution was read and adopted.

Mr Emerson from the select committee to whom was referred Senate bill No. 131 to be entitled an act for the relief of John W Fullerton, late sheriff of Hot Spring county, reported the same back to the House and recommended its passage.

On motion of Mr Emerson the rules were dispensed with and the bill was read a 3d time and passed.

On motion of Mr. James House bill to be entitled an act to change the time of holding the circuit courts in the counties of Ashley, Chicot, Desha, Arkansas, and Jefferson, was taken up and the first amendment of the Senate thereto concurred in.

On motion of Mr James, the House refused to concur in the 2d amendment of the Senate thereto, and a committee of three was appointed on the part of the House, to confer with such committee as might be appointed on the part of the Senate on said 2nd amendment.

Messrs. James, Trapnall, and Emerson, were appointed as the committee on the part of the House.

Mr. Atkins offered the following

RESOLUTION:

Resolved, That a committee of five be appointed by the Speaker to visit the post office and take out a package that is there directed to the Legislature of the State of Arkansas, and that the Speaker be requested to pay the postage on said package, which is $1.40.

Which was, on motion of Mr. Foreste, laid on the table indefinitely.

Mr. James introduced a bill to be entitled an act to regulate steam boats in the discharge and delivery of freights on the Arkansas river, or any other river in this State.

Which was read a first time.

On motion of Mr. James, the rules were dispensed with, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Trimble introduced a bill to be entitled an act to donate the forfeited lands in the county of Independence to the Trustees of the Soulesbury College, at Batesville.

Which was read a first time.

On motion of Mr. Trimble, the rules were dispensed with, and the bill was read a 2d time and referred to a select committee, consisting of

Messrs. Trimble, James, and Whittington.

Mr. Woodward introduced a bill to be entitled an act directing the Secretary of State to distribute the acts and Journals of this General Assembly, among the several counties.

Which was read a first time.

On motion of Mr. Woodward, the rules were dispensed with, and the bill was read a second time and referred to the committee on the judiciary.

On motion of Mr. Tebbetts, the House concurred in the amendment of the Senate to House bill to be entitled an act to authorize Jonathan Hardin to make a turnpike road.

Senate bill No. 134 to be entitled an act for the relief of Braxton C. Crump, sheriff of Crittenden county, was taken up and read a first time.

On motion of Mr. Fletcher, the rules were dispensed with, and the bill was read a 2nd time and referred to the committee on ways and means.

Senate bill No. 99 to be entitled an act to incorporate the Clarenden Turnpike Company, was taken up and read a first time.

On motion of Mr. Preston, the rules were dispensed with, and the bill was read a second time and referred to a select committee consisting of

Messrs. Preston, Tebbetts, and Patrick.

On motion of Mr. Carroll, Senate bill No. 97, to be entitled an act for the relief of Robert A Watkins, was taken up and read a 1st time.

On motion of Mr. Tebbetts, the rules were dispensed with, and the bill was read a second time and referred to the committee on education.

On motion of Mr. Cline, Senate bill No. 71 to be entitled an act to unite the Seminary and 16th section funds, of Washington county, in support of common schools, was taken up.

Mr. Adams moved to amend the bill by inserting Conway county.

Mr Trimble moved to insert Independence county.

Mr Morton moved to insert Crawford county.

Mr Whittington moved to insert Hot Spring and Montgomery counties.

Mr Sevier moved to insert Lafayette county.

Mr Wills moved to insert Saline county.

Mr Wills moved to insert Yell county; all of which amendments were successfully adopted.

Mr. Patrick was called to the chair.

On motion of Mr. Tebbetts saiid bill was re-committed to a select committee consisting of Messrs. Tebbetts, Trapnall, Preston, Eaton, Woodward, James, Flournoy, Sissel, and Patrick.

The following message was received from the Senate by the Secretary:

Mr. Speaker—

I have the honor to present for your Honor's signature an act to incorporate the Fountain Hill Male and Female Academy in Ashley county.

Also an act to amend section 108 of chap. 4 of the Digest of Arkansas.

Also an act amendatory of the 139th chapter of the Digest.

Also an act to provide for the reclaiming of the swamp and overflowed lands donated to this State by the United States.

JOHN M. ROSS.
Sec'y of Senate.

The proposed amendment to the Constitution of the State of Arkansas in relation to the counties of Green, Poinsstt and Desha was taken up on the 3d reading of the same.

The question arose upon the adoption of the same, and the roll was called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Armstrong, Bailey, Baker, Billingsly, Bradley, Carroll, Cauthron, Chandler, Dodd, Eaton, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gordon, Greene, Hardin, Harris, Jackson, James, Johnson, Kinsworthy, Leslie, Lafferty, Miller, Mitchell, McIlroy, Morton, Nettles, Patrick, Preston, Russell, Steward of Crawford, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Yochum and Mr. Speaker—50.

Those members who voted in the negative, are

Messrs. Ayres, Blakemore, Cline, Denton, Dodson, Gilmer, Imboden, McRae, Pyburn, Rosson, Trapnall, Tebbetts and Watson—13.

Mr. Speaker announced that said amendment having received a majority of two thirds of all the votes said amendment was adopted.

On motion of Mr. ———, the House took a recess till 3 o'clock P. M.

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3 O'CLOCK, P. M.,
Jan. 3*d*, 1851.

The House convened.

Mr. Farmer asked leave of absence for Mr. Basham.

Mr. Sevier called for the ayes and noes on the granting of leave to Mr. Basham, which call was sustained and the roll called.

Those members who voted for granting leave, are

Messrs. Atkins, Armstrong, Ayres, Brewton, Chandler, Cline, Denton, Dodson, Eaton, Emerson, Farmer, Greene, Hart, Hardin, Imboden, McRae, Morton, Moore, Patrick, Steward of Crawford, Stuart of Green, Sadler, Tappan, Walker, Whittington, Wills and Mr. Speaker—27.

Those who voted in the negative, are

Messrs. Adams, Baker, Billingsley, Blakemore, Bradley, Carroll, Cauthron, Dodd, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Harris, Jackson, James. Johnson, Kinsworthy, Leslie, Lafferty, Miller, Murph, Nettles, Preston, Pyburn, Rosson, Sevier, Trimble, Trapnall, Tebbetts, Tobey, Woodward and Watson—33.

So the House refused to grant Mr. Bassham leave of absence.

The special orders of the day were taken up to Senate joint resotion approving the course of our delegation in Congress as regards the slavery question.

Mr. Trapnall moved to lay the resolution on the table indefinitely and called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Armstrong, Chandler, Cline, Denton, Dodd, Embry, Greene, Hardin, Imboden, Kinsworthy, Miller, Morton, Murph, Patrick, Pyburn, Trapnall, Walker, Woodward and Mr. Speaker—20.

Those members who voted in the negative, are

Messrs. Atkins, Ayres, Baker, Billingsly, Blakemore, Bradley, Brewton, Carroll, Cauthron, Dodson, Eaton, Emerson, Forguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Harris, Jackson, James, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Moore, Nettles, Preston, Russell, Rosson, Steward of Crawford, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Tebbetts, Tobey, Wiherspoon, Whittington, Wills, Watson and Yochum—46.

So the resolutions were not laid on the table.

Mr. Carroll moved to amend the first resolution, by striking out all after the word "south."

Mr. Tebbetts offered the following as a substitute for the amendment proposed by Mr. Carroll: *Provided*, That nothing herein contained is intended as a condemnation by this General Assembly of the series of measures commonly called compromise bills passed by the Congress of the United States at its last session.

Mr. James moved to lay both the amendment and the substitute on the table innefinitely.

On motion of Mr. Tobey the House adjourned.

T. B. FLOURNOY, Speaker
of the House of Representatives.

SATURDAY, JAN. 4th, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

Mr. Farmer was called to the chair.

The Journal of yesterday was read and approved.

The following message from the Senate was received by the Secretary.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have concurred in the amendments of the House to Senate bill No 111, to be entitled an act making appropriations to pay bank officers for the year 1849 and 1850, and for arrearages due.

The Senate have assented to House bill 195, to be entitled an act to incorporate the town of El Dorado.

Also House bill 189, to be entitled an act to amend an act entitled an act to incorporate the town of Pine Bluff, approved Dec. 12th, 1846.

Also to House bill 222, to be entitled an act to incorporate the town of Clinton.

Also to House bill 227, to be entitled an act for the relief of Tho's A. Howell of Pope county.

Also to House bill 129, to be entitled an act to change the name of Mount Vernon, the county seat of Izard county.

The Senate have concurred in the joint resolution of the House fixing Saturday, January 11th, for the adjournment sine die of this General Assembly.

Which is herewith returned.

The Senate have passed bill 117, to be entitled an act to amend the law of attachment.

Also bill No 140, to authorize Antoine Barraque to dispose of certain lands as trustee.

Also bill No 141, to be entitled an act to amend an act to incorporate the town of Batesville, approved, December 20th, 1848.

Also bill No 142, to be entitled an act to exempt Nicholas Johnson from so much of the 159th chap. of the Revised Statutes as relates to the sale of ardent spirits.

All of which are herewith transmitted for the assent of the House of Representatives.

I have the honor to present for your Honor's signature an act to incorporate the New Prospect Cotton and Woolen Manufactory of Pittsburg, in the county of Johnson, State of Arkansas.

Also an act making appropriation to pay bank officers for the years 1849 and 1850, and for arrearages due.

Also an act to authorize B. W. Ayers to take possession of the effects of John M. Kerr, dec'd.

Also an act to incorporate the town of Napoleon.

JOHN M. ROSS,
Sec'y of the Senate.

Mr Armstrong asked leave of absence for Mr Green.

Mr Sevier called for the ayes and noes which were sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Billingsley Bradley, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Farmer, Foreste, Fletcher, Green, Hart, Hardin, Imboden, Johnson, Kinsworthy, Lafferty, Miller, Mitchell, McRae, Morton, Nettles, Patrick, Pyburn, Russell, Sterward of Crawford, Stewart of Green, Sadler, Tappan, Tebbetts, Tobey, Witherspoon, Wills, Watson and Mr Speaker—42.

Those voting in the negative, are

Messrs .Baker, Blakemore, Bruton, Carroll, Cauthron, Ferguson, Gordon, Gilmer, Harris, Jackson, Leslie, McIlroy, Preston, Rosson, Sissel, Sevier, Trimble, Walker—18.

So Mr Green was granted leave of absence.

On motion of Mr. Speaker leave of absence was granted Mr. Rogers.

On motion of Mr Embry leave of absence was granted *M*r Kinsworthy.

Mr Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to authorize Johnathan Hardin to make a turnpike road.

Also an act to incorporate the Rockville and Eldorado Manufacturing Company, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Mr Watson from the committee on ways and means to whom was referred Senate bill No 131, to be entitled an act for the relief of *M*m. C. Bivens, reported the same back to the House favorably.

On motion of Mr. Watson the rules were suspended and the bill read a 3d time.

Mr Miller called for the ayes and noes on the passage of said bill.

Which was sustained and the roll called.

Those members who voted in the affirmative, are

*M*essrs Atkins, Baber, Billingsley, Bradley, Carroll, Chandler, Eaton, Embry, Fergusion, Fletcher, Green, Hart, Hardin, Harris, Imboden, James, Kinsworthy, Mitchell, McRae, Patrick, Rosson, Steward of Crawford, Stewart, of Green, Sissel, Sevier, Sadler, Trimble, Tappan, Walker, Witherspoon, *W*atson and Mr Speaker—32.

Those members who voted in the negative, are

*M*essrs. Adams, Anderson, Armstrong, Blakemore, Bruton, Cauthron, Dodson, Dodd, Emerson, Farmer, Foreste, Gordon, Gilmer, Jackson, Johnson, Leslie, Lafferty, Miller, McIlroy, *M*orton, Moore, Nettles, Pyburn, Russell, Trapnall, Tobey, Whittington, Woodward, Wills and Yochum—30.

So said bill was not passed.

On motion of *M*r Sevier leave of absence was granted to Mr Wills until Tuesday next.

On motion of Mr. Fletcher, leave of absence was granted to Mr Cline for one hour.

Mr. Watson from the committee on ways and means reported back Senate bill No 76, to be entitled an act for the relief of S. H. Hempstead, and recommended its passage.

On motion of Mr Tappon the rules were dispensed with and and the bill read a 3d time.

Mr Gilmer called for the ayes and noes on the passage of the bill, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Armstrong, Baker, Billingsley, Blakemore, Bradley, Caraoll, Chandler, Denton, Eaton, Fletcher, Gordon, Hart, Hardin, Imboden, James, Kinsworthy, Leslie, Lafferty, McIlroy, *M*cRae, Patrick, Preston, Russell, Rosson, Stewart of Green, Sevier, Trimble, Tappan, Trapnall, Witherspoon, Woodward, Wills, Watson and Mr Speaker—36.

Those members who voted in the negative, are

Messrs Anderson, Bruton, Cauthron, Dodson, Dodd, Emerson, Ferguson, Farmer, Foreste, Gilmer, Jackson, Johnson, Miller, Morton, Moore, Nettles, Pyburn, Steward of Crawford, Sadler, Tobey, Walker and Yochum—22.

So the bill was passed.

*M*r Sevier offered a resolution proposing an amendment to the Constitution in relation to removing the constitutional limits of Lafayette county.

*M*r Rosson moved to reject said proposed amendment and called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Anderson, Blakemore, Baker, Bruton, Denton, Dodson, Foreste, Gilmer, Hart, Miller, McIlroy, *M*oore, Rosson, Tebbetts and Walker—15.

Those members who voted in the negative, are

Messrs Atkins, Armstrong, Billingsley, Bradley, Cauthron, Chandler, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Harris, Imboden, Hardin, Jackson, Jonson, Leslie, Lafferty, McRae, Nettles, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Stewart of Green, Sevier, Sadler, Trimble, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Watson, Yochum and Mr Speaker—41.

So the motion to reject was lost.

The following message from the Governor was received by his private secretary.

Mr. Speaker—

I am instructed by the Governor to inform your honorable body that he has approved and signed an act for the relief of John Hargrave late Sheriff of Marion county.

An act to grant a charter to William F. S. Barkman to erect a toll bridge on the Bayou de Roche.

An act to call in the scrip of Mississippi county.

An act to empower the circuit courts to alter or change names, and for other purposes.

An act to incorporate the town of Rockport in the State of Arkansas.

An act to repeal the 3d section of an act approved March 3rd, 1838, entitled an act appointing Trustees for the town of Washington in Hempstead county.

An act to exempt libraries in this State from attachment and sale under execution.

An act to authorize Jonathan McKinney, to build a toll bridge across Bayou Meto.

An act to amend the 4th chapter of the Revised Statutes.

An act to authorize George H. Morton of Izard county, to change the Military road now running by his house.

An act to incorporate the Ouaceita and Red river plank road company.

An act for the benefit of Andrew Brige, of the county of Lawrence.

An act amendatory of an act to incorporate the town of Washington, approved January 8th, 1849.

An act to incorporate joint stock manufacturing companies.

An act for the relief of Moreeead Wright of Lafayette county.

An act to blend all the school funds of Arkansas county, in support of common schools.

An act to incorporate the Mississippi and Bartholomew plank road company.

An act for the relief of Mrs. Cross, widow of Uriah Cross, deceased, late of Randolph county, Arkansas.

An act to compensate James A. Hutchings for his services as clerk, in the Treasurer's offices.

An act to make an appropriation to pay William E. Woodruff for printing the Governor's message and accompanying documents.

A resolution instructing our Senators and requesting our Representative to procure a daily mail route from Little Rock in this State to Memphis Tennessee.

A resolution instructing our Senators and requesting our Representative to procure a mail route from Charleston in Franklin county to Waldron in Scott county.

L. E. BARBER, Private Sec'y.

Mr. Watson from the committee on ways and means to whom had been referred House bill No. 83, to be entitled an act making certain appropriations for the year 1851 and 1852, and parts of the year 1850, and for balances due from the State, reported the same back to the House and recommended that the bill be laid on the table indefinitely.

Which report was adopted and the bill rejected.

Mr. Watson from the committee on ways and means, to whom was referred House bill No. 10, to be entitled an act to repeal so much of the revenue law of this State as fixes a minimum value on lands as the basis of taxation, reoprted the same back to the House and recommended its rejection.

Mr. Walker called for the ayes and noes on the adoption of said report which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Anderson, Armstrong, Baker, Billingsley, Blakemore, Bradley, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Hart, Hardin, Imboden, James, Lafferty, Mitchell, McRae, Moore, Nettles, Patrick, Preston, Pyburn, Russell, Steward of Craward, Sissel, Sevier, Tappan, Tebbetts, Whittington, Watson, and *Mr*. Speaker—37.

Those members who voted in the negative, are

Messrs Atkins, Brewton, Carroll, Cauthron, Chandler, Farmer, Foreste, Gordon, Gilmer, Harris, Jackson, Johnson, Leslie, Miller, McIlroy, Morton, Rosson, Stuart of Green, Sadler, Trimble, Tobey, Walker, Witherspoon, Wills, and Yochum—25.

So said report was adopted and the bill rejected.

On motion of Mr. Sevier the rules were dispensed with and the following amendment proposed to the constitution, was put upon its first constitutional reading, to wit:

Be it Resolved by the General Assembly of the State of Arkansas, That the following amendment be and the same is hereby proposed to the constitution, viz: That the county of Lafayette be excepted out of the provisions of the 29th section of the 4th article of the constitution so that it may be reduced to 800 square miles.

Mr. Withesproon offered the following:

Amend by adding Jackson county—adopted.

Mr. Lafferty, offered to amend by adding Van Buren county—adopted.

Mr. Ferguson offered to amend by adding Arkansas county—adopted.

Mr. Patrick offered to amend by adding St. Francis county—adopted.

Mr. Imboden offered to amend by adding Lawrence county—adopted.

Mr. Fletcher proposed to amend by adding Mississippi and Crittenden county.

Which was adopted.

Mr. Embry proposed to amend by adding Prairie county—adopted.

Mr. Pyburn proposed to amend by adding Monroe county—adopted.

Mr. Sissel proposed to amend by adding Hempstead county—adopted.

Mr. Steward of Crawford to amend by adding Crawford county—adopted.

The question then arose upon passing the amendment to the constitution as amended to its 2nd reading.

The roll was called and the following members voted in the affirmative, to wit:

Messrs Atkins, Armstrong, Bailey, Billingsley, Bradley, Carroll, Cauthron, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Hart, Hardin, Harris, Imboden, Leslie, Lafferty, Mitchell, Morton, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Greene, Sissel, Sevier, Sadler, Tappan, Tobey, Witherspoon, Whittington, Woodward, Wills, Yochum and Mr. Speaker—38.

Those who voted in the negative, are

Messrs Adams, Anderson, Baker, Blakemore, Brewton, Chandler, Cline, Denton, Dodson, Farmer, Foreste, Gordon, Gilmer, Jackson, James, Johnson, Miller, McIlroy, McRae, Murph, Moore, Nettles, Rosson, Trapnall, Tebbetts, Walker and Watson—27.

So the House refused to pass said amendment to a 2nd reading, it not having received a majority of two thirds of the votes given.

Mr. Trapnall from the committe on the judiciary to whom had been referred Senate bill No. 87 to be entitled an act to prevent persons from selling Indians ardent spirits or intoxicating liquors, reported the same back to the House and recommended its passage.

Mr. Miller offered the following amendmemt, strike out the word "miles" in 5th line of 1st section and insert "feet" in lieu thereof.

On motion of Mr. Carroll, said amendment was laid on the table indifinitely.

On motion of Mr. Miller, said bill was laid on the table until the 4th July next.

On motion of Mr. Baker, Senate bill No. 141, to be entitled an act to amend an act to incorporate the town of Batesville, approved Dec'r 20th. 1848, was taken up and read a 1st time.

On motion of Mr. Baker the rules were dispensed with and the bill was read a 2nd and 3rd time and passed.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have assented to House bill No. —, to be entitled an act to establish the county of Sebastian, which is herewith returned.

JOHN M. ROSS.
Sec'y of Senate.

On motion of Mr. Witherspoon the Senate's amendments to House bill No. 190, to be entitled an act for the benefit of Charlotte Prince of Jackson county, were concurred in.

On motion of Mr. Tebbetts, the vote of the House taken on yesterday, refusing leave of absence to Mr. Basham, was reconsidered and on his motion leave of absence was granted to Mr. Basham.

On motion of Mr. Denton, Senate bill No. 133, to be entitled an act to compensate the state Treasurer for receiving and disbursing the Internal Improvement and Seminary fund, was taken up and read a 1st time.

On motion of Mr. Denton, the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of Messrs Denton, James, Witherspoon, Cline and Farmer.

On motion of Mr. Sevier, the vote of the House rejecting House bill No. 210, to be entitled an act to provide for the relief of the lien of the State in certain cases, taken on 2nd inst was reconsidered.

On motion of Mr. Trapnall the House adjourned until Monday morning 9 o'clock, a. m.

T. B. FLOURNOY,
Speaker of the House.

MONDAY, Jan. 6, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, Chaplain.

The journal of Saturday was read and approved.

Mr. Trapnall with leave introduced a bill to be entitled an act to change the name of Johanna Cooney, to that of Johanna Clifford, and to make her one of the heirs of Charles Clifford.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2nd time and laid over till to-morrow.

The following message from the Senate was received by the Secretary

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have concurred in the resolution of the House of Representatives raising a committee of conferrence on the disagreement between the two Houses on the 2nd amendment of the Senate to House bill to be entitled an act to change the time of holding the circuit courts in the counties of Ashley, Chicot, Jefferson, and Desha, and have appointed Messrs Burrow, Huie, and Rector a committee on the part of the Senate to confer with the committee appointed by the House of Representatives.

The Senate have assented to house bill No. 133, to be entitled an act for the relief of Anthony Smith of the county of Johnson.

Also to House bill No. 204, to be entitled an act to provide for building a safe and durable wall around the Penitentiary, proper workshops and keepers house, and for the improvement of the Penitentiary system, with sundry amendments thereto to which the concurrence of the House of Representatives is respectfully asked.

All of which are herewith returned.

The Senate have passed a bill to be entitled an act to purchase copies of Marcy's Map from Fort Smith to California.

Which is herewith transmitted for the assent of the House of Representatives.

I have the honor to present for your honor's signature, an act for the relief of John W. Fullerton, late sheriff of Hot Spring county.

Also an act for the relief of S. H. Hempstead.

Also an act to amend an act to incorporate the town of Batesville, approved Dec. 20th, A. D. 1848.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Carroll from the committee on apportionments to whom was referred Senate bill No. 129, to be entitled an act to arrange the Senatorial districts and apportioning the Senators and Representatives among the several counties of the State of Arkansas, reported the same back to the House without amendment and recommended its passage.

Mr. Trapnall moved to amend by striking off Perry county, from the 16th, and attaching it to the 24th Senatorial district.

Mr. Armstrong offerred to amend by striking off the county of Calhoun from the 20th senatorial district and adding it to the 19th district.

Mr. Walker moved to amend by striking out the word "one member in Franklin county and inserting two."

On motion of Mr. Sevier all said amendments were rejected.

Mr. Eaton offerred to amend by inserting the following, to wit:

Desha, Arkansas and Chicot,	1st	District,
Drew, Bradley, and Ashley,	2d	"
Jefferson and Saline,	3d	"
Dallas and Hot Spring,	4th	"
Ouachita and Calhoun,	5th	"
Union,	6th	"
Hempstead and Pike,	7th	"
Clark and Montgomery,	8th	"
Sevier, Polk and Lafayette,	9th	"

Mr. Baker offered to amend by adding that Independence county shall have one Senator.

Which were not adopted.

Mr. Fletcher moved a suspension of the rules in order that the bill might be read a 3rd time.

Which was carried and the bill was read a 3rd time.

The question then was put "shall the bill pass."

Mr. Miller called for the ayes and noes which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs Atkins, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Denton Dodson, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Hardin Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph Morton, Moore, Nettles, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Sissel, Sevier, Sadler, Trimble, Tappan, Tebbetts, Tobey, Whittington, Watson, Yochum, and Mr. Speaker—55.

Those members who voted in the negative, are

Messrs Adams, Bailey, Dodd, Eaton, Miller, Rosson, Stuart of Green, Trapnall, Witherspoon, Walker, and Woodward—11.

So the bill was passed.

The following message from the Senate was received by the Secretary.

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have adopted a joint resolution instructing our Senators and requesting our Representative in Congress to use their exertions to procure a mail route to be carried on horse back, from Pine Bluff, in the county of Jefferson, south-west, crossing Saline river at or near White oak Bluff, thence directly to the village of Chambersville, in Calhoun county, at which to intersect the Camden, Warren, and Princeton route.

Which is herewith transmitted for the assent of the House of Representatives.

The Senate have also passed Senate bill No. 143 to be entitled an act to apportion Crawford and Sebastian counties.

Also an act to extend and confirm the charter heretofore granted for a toll bridge across second creek in St. Francis county.

Which are herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Tebbetts Senate bill No. 91 to be entitled an act granting corporate powers for certain purposes, was taken up and read 1st time.

On motion of Mr Tebbetts the rules were dispensed with and the bill read a 2d time and referred to a select committee, consisting of Messrs. Tebbetts, Trapnall, Fletcher, Bailey and Tappan.

Mr Foreste was called to the chair.

Mr Patrick from the committee on education to whom was referred Senate bill No. 97 to be entitled an act for the relief of Robert A Watkins, reported the same back to the House and recommended its passage.

On motion of Mr Patrick the rules were dispensed with and the bill was read a 3d time.

The question then arose upon the passage of the bill.

Mr Dodd called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Anderson, Armstrong, Bailey, Billingsley, Blakemore, Bradley, Carroll, Cauthron, Eaton, Emerson, Embry, Fletcher, Gilmer, Hart, Harris, Leslie, Lafferty, Miller, McRae, Patrick, Preston, Steuart of Green, Sevier, Trimble, Tappan, Tebbetts, Tobey, Whittington, Watson, Yochum, and Mr. Speaker—32.

Those members who voted in the negative, are

Messrs. Atkins, Ayres, Baker, Bruton, Chandler, Cline, Denton, Dodson, Dodd, Ferguson, Farmer, Foreste, Gordon, Hardin, Imboden, Jackson, James, Johnson, Mitchell, McIlroy, Morton, Moore, Nettles, Pyburn, Rosson, Stewart of Crawford, Sadler, Trapnall, Witherspoon, Woodward—31.

So the bill was not passed.

Mr Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act for the relief of Thomas A. Howell of Pope county.

Also an act for the benefit of Charlotte Prince, of the county of Jackson.

Also an act to establish the county of Sebastian.

Also an act to change the name of *Mount* Vernon, the county seat of Izard county.

Also an act to amend an act to incorporate the town of Pine Bluff, approved, Dec. 12, 1846, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Mr Fletcher from the committee on public lands to whom was referred House bill No. 202 to be entitled an act to adjust the title and provide for the sale of the 500,000 acres land, reported the same back to the House with an amendment, and recommended its passage.

Which report was adopted, as amended, and read a third time and passed.

Mr Whittington from the committee on the judiciary to whom was referred House bill No. 235 to be entitled an act for the relief of John H Hammock, reported the same back to the House and recommended its passage.

On motion of Mr Whittington the rules were suspended and the bill read a third time.

The question then arose on its final passage.

Mr Rosson called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Ayres, Baker, Carroll, Cauthron, Chandler, Denton, Dodson, Farmer, Gordon, Hart, Jackson, Miller, Mitchell, Moore, Nettles, Russell, Sadler, Trimble, and Whittington—19.

Those who voted in the negative, are

Messrs. Anderson, Armstrong, Bailey, Billingsley, Blakemore, Bradley, Bruton, Cline, Eaton, Emerson, Embry, Furguson, Foreste, Fletcher, Gilmer, Hardin, Harris, Imboden, James, Johnson, Lester, *M*cRae, Murph, Morton, Preston, Pyburn, Rosson, Steward of Crawford, Stewart of Greene, Sissell, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Woodward, Watson, Yochum, and Mr. Speaker—41.

So the bill was not passed.

Mr. Trapnall laid before the House the petition of John J. Clendennen, attorney General, praying that so much of the report of the joint standing committee on banks, as reflects injuriously upon his official conduct, may be corrected.

Which was, on motion of Mr. Trapnall, referred to the committee on banks.

Mr Trapnall introduced a bill entitled an act concerning the Treasury.

Which was read a first time.

On motion of Mr. Trapnall the rules were suspended and the bill was read a second time.

Mr Carroll moved to lay the bill on the table for the present.

Which was lost.

On motion of Mr. Trapnall the rules were dispened with and the bill was read a 3d time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred bill No. 234 to be entitled an act to repeal the 7th sect. chap. 104 of the digest, reported the same back to the House favorably, and recommended its passage.

On motion of Mr Trapnall the rules were suspended and the bill was read a 3d time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred Senate bill No. 93 to be entitled an act to authorize certain alterations in the Supreme court room, and for other purposes, reported the same back to the House favorably, and recommended its passage.

On motion of Mr. Blakemore the rules were suspended and the bill was read a 3d time and passed.

Mr. Trapnall from the committee on the Judiciary to whom was referred House bill 243 to be entitled an act directing the Secretary of State to distribute the acts and Journals of this General Assembly among the several counties, reported the same back to the House and recommended its passage.

Mr Denton offered the following amendment as an additional section, to wit:

Be it further enacted, That the Secretary of State shall, in the appendix of the Journal, make a statement of mileage paid to each member of this legislature.

The question was on its adoption.

Mr Denton called for the ayes and noes, which was sustained.

Mr Speaker ruled said amendment out of order.

Mr Whittington appealed from the decision of the chair.

The question was then put, will the House sustain the chair, which was decided in the affirmative.

On motion of Mr. Woodward the rules were suspended and the bill was read a 3d time and passed.

On motion of Mr. Trapnall the House took a recess until 3 o'clock, p. m.

3 o'clock, P. M., Jan'y 6, 1851.

The House convened.

Mr Trapnall from the committee on the judiciary to whom was referred House bill 241 to be entitled an act to regulate steamboats in the discharge and delivery of freight on the Arkansas river, reported the same back to the House favorably.

On motion of Mr James the rules were dispensed with and the bill was read a third time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred House bill 224 to be entitled an act to define the privilege of persons who may have had license to hawk and peddle without license, reported the same back to the House with sundry amendments, and recommended its passage.

Which report was adopted and the rules were suspended.

On motion of Mr. Johnson, the bill was read a third time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred House bill 237 to be entitled an act amending an act establishing justices of peace courts, reported the same back to the House and recommended its rejection.

Which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judicary to whom was referred House bill 185 to be entitled an act to change the forms of pleading in the circuit courts, reported the same back to the House with an amendment and recommended its passage.

Which report was adopted.

On motion of Mr. Tappan the rules were dispensed with and the bill was read a 3d time and passed.

Mr Tebbetts introduced a bill to be entitled an act for ascertaining and securing the assets of the Real Estate Bank of the State of Arkansas.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the bill read a 2d time and referred to the committee on the judiciary.

Mr Carroll introduced a bill to be entitled an act to change the name of Washington Perry Buckner, of the U. S. Navy.

Which was read a 1st time.

On motion of Mr Carroll the rules were suspended and the bill read a 2d and 3d time and passed.

Mr James made the following

REPORT:

Mr. Speaker:

The committee appointed on the part of the House to confer with such committee as the Senate should appoint, in relation to the amendment of the Senate to House bill entitled an act change the circuit courts of Ashley, Chicot, Desha, Arkansas and Jefferson, have had the same under consideration and have instructed me to report said bill back with the amendments of the Senate stricken out and the following amendment thereto, inserted after the words, to wit: 5th line, section 1st, the following: "in the county of Hot Spring on the last Monday of February and August in each year in the county of Dallas on the first Monday in March and September in each year, in the county of Calhoun on the 2d Monday of March and September in each year, in the county of Bradley on the 3d Monday in March and September in each year, in the county of Drew on the 4th Monday of March and September in each year."

Amend the 2d section by inserting after the words 'counties of' in the 4th line 'Hot Spring, Dallas and Calhoun.'

Amend the title of said bill by inserting after the words 'counties of' in the 2d line 'Hot Spring, Dallas, Calhoun,' and recommend its passage.

JAMES, Ch'n.

Which report was adopted.

Mr. Woodward offered the following

RESOLUTION:

Resolved, That the Governor be required to report to this House forthwith the manner of the expenditure of $600 drawn by him from the treasury for the erection of tomb stones for Hon's A. H. Sevier, John H. Strong and L. R. Wells and accompany his report with abstracts and vouchers showing the manner of said expenditure.

2d, That the Secretary of State in a like manner be and he is hereby required to report to this House forthwith (and accompany his report with abstracts and vouchers showing the manner of the expenditure) the manner of the disposal and expenditure of the sum of $5 600 referred to in the Auditor's report, as being drawn from the treasury by him on his simple order without filing vouchers to show the manner of the expenditure of the same, and that the Secretary of the State be also required to report to this House the number of digests of the statutes of this State, and reports of the decisions of the Supreme Court, sold by him, the amount of money received for the same, and the number of such Digests and Reports still in the hands of the Secretary of State.

Which was adopted.

Mr Patrick from the select committee to whom was referred Senate bill No 98, to be entitled an act amendatory of an act entitled an act to amend the 153d chapter of the digest of the statutes under the title of runaway slaves, reported the same back to the House and recommended its passage.

On motion of Mr Fletcher the rules were dispensed with and the bill was read a 3d time and passed.

Mr Denton from the select committee to whom was referred Senate bill No 133, to be entitled an act to compensate the State treasurer for receiving and disbursing the internal improvement and seminary funds, reported the same back to the House and recommended its passage.

On motion of Mr Denton the rules were dispensed with and the bill read a 3d time.

On motion of Mr Foreste the bill was laid on the table until day after to-morrow.

Mr Eaton from the committee on propositions and grievances to whom had been referred the petition of Joseph R. Bettison, reported back to the House a bill to be entitled an act for paying the amount of a judgment to Joseph R. Bettison.

Which was read a first time.

On motion of Mr Carroll the rules were dispensed with and the bill read a 2d time.

On motion of Mr Trapnall the bill was laid on the table for the present.

Mr Tebbetts made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred Senate bill No 91, to be entitled an act granting corporate powers for certain purposes, have had the same under consideration, and have instructed my to report the same back to the House without amendment and recommend its passage.

TEBBETTS, Ch'n.

On motion of Mr Tebbetts the rules were dispensed with and the bill read a 3d time and passed.

Mr James made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill No 112, to be entitled an act to change the time of holding the probate court in Jefferson county, Arkansas, have had the same under consideration and have instructed me to report the same back to the House with two amendments, and recommend its passage.

JAMES, Ch'n.

Which report and amendments were adopted.

On motion of Mr James the rules were dispensed with and the bill as amended was read a 3d time and passed.

*M*r Preston from the select committee to whom was referred Senate bill No 99, to be entitled an act to incorporate Turnpike Company, reported the same back to the House and recommended its passage.

On motion of Mr Preston the rules were dispensed with and the bill was read a 3d time and passed.

On motion of Tebbetts, House bill No 204, to be entitled an act to provide for building a safe and durable wall around the Penitentiary, proper workshops, keeper's house, and for the improvement of the Penitentiary system, was taken up and the 1st, 2d and 3d amendments of the Senate thereto concurred in.

The question then arose upon the concurrence of the House in the 4th amendment of the Senate.

Mr Fletcher called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Anderson, Armstrong, Bailey,Blakemore, Bradley, Brewton, Carroll, Cauthron, Cline, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Gordon, Hart, Harris, Johnson, Lafferty, *M*iller, McRae, Nettles, Patrick, Preston, Pyburn, Steward of Crawford, Tappan, Trapnall, Tebbets, Tobey, Walker, Witherspoon, Whittington, Woodward, Watson, and Mr. Speaker—38.

Those members who voted in the negative, are

Messrs. Adams, Baker, Billingsley, Chandler, Denton, Dodson, Fletcher, Gilmer, Hardin, Imboden, Jackson, James, Leslie, Mitchell, McIlroy, Murph, Rosson, Sissel, Sevier, Sadler, and Trimble—23.

So the House concurred in the 4th amendment.

The House refused to concur in the 5th and 6th amendments of the Senate to said bill.

On motion of Mr Whittington the House concurred in the 7th, 8th, 9th, and 10th amendments of the Senate to said bill.

On motion of Mr Hart the House adjourned.

T. B. FLOURNOY,
Speaker of H. Reps.

TUESDAY, January 7th, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

The following message from the Senate was received by the Secretary:-

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have assented to House bill No. 207, to be entitled an act to incorporate the Memphis and St. Francis plank road company, with sundry amendments thereto, in which the concurrence of the House is respectfully asked.

The Senate have also assented to House bill 240 to be entitled an act for the relief of Mathias Harkey of Yell county.

Also to House bill entitled an act to promote the navigation of Bigg creek in the county of Phillips.

Also to House bill 233 to be entitled an act authorizing the administrator of Wm D Barnett, to convey certain lands.

Also to House bill No. 213 to be entitled an act to incorporate the Eldorado plank road.

The Senate have concurred in the preamble and joint resolutions of the House instructing our Senators and requesting our Representative in Congress to use their exertion to obtain a donation from Congress for every alternate section of public land in each township, through which the Camden and Red river plank road may pass.

Also in the joint resolution of the House by a constitutional majority to amend the 29th section of the 4th article of the constitution, so as to allow the counties of Green, Poinsett, and Desha, to be reduced to 800 square miles, and that a new county be formed out of the counties of Green and Poinsett of like dimensions.

All of which are herewith returned.

The Senate have passed bill No. 57 to be entitled an act amendatory of the criminal law of the State concerning slaves, free negroes and mulattoes, which is herewith transmitted for the assent of the House of Representatives.

I have the honor to present for your Honor's signature, an act for the relief of Wm C Bevens.

JOHN M. ROSS,
Secretary of the Senate.

Mr Fletcher introduced a bill to be entitled an act to repeal an act supplemental to an act to distribute the 500,000 acres of land donated to the State of Arkansas for internal improvement; approved, January 10, 1849.

Which was read a first time.

On motion of Mr Fletcher the rules were dispensed with and the bill was read a 2d time.

On motion of Mr Patrick, House bill 207 to be entitled an act to incorporate the St. Francis and Memphis plank road company, was taken up, and Senates amendment thereto concurred in.

Mr Watson from the committee on ways and means to whom was referred Senate bill 134 to be entitled an act for the relief of Baxter C Crump, sheriff of Crittenden county, reported the same back to the House favorably.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a 3d time and passed.

Mr Trimble made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill 242 to be entitled an act to donate the forfeited lands in the county of Independence, to the trustees of Soulesbury college, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

Mr. Foreste moved to reject said bill.

Mr. Trapnall called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Anderson, Armstrong, Ayers, Blakemore, Bradley, Brewten, Cauthron, Chandler, Denton, Dodson. Eaton, Embry, Farmer, Foreste, Gordon, Gilmer, Hart, Imboden, Jackson, Johnson, Leslie, Miller, McRae, Moore, Russell, Sissel, Sevier, Sadler, Tebbetts, Woodward and Yochum—33.

Those who voted in the negative, are

Messrs Adams, Bailey, Baker, Billingsly, Carroll, Cline, Dodd, Ferguson, Fletcher, Hardin, Harris, James, Lafferty, Mitchell, McIlroy, Murph, Morton, Nettles, Patrick Preston, Pyburn, Rosson, Steward of Crawford, Stuart of Green, Trimble, Tappan, Trapnall, Tobey, Walker, Witherspoon, Whittington, Watson and Mr. Speaker—33.

So the bill was not rejected.

On motion of Mr. Blakemore the bill was recommitted to the committee on education.

Mr. Tebbetts moved to reconsider the vote of the House, adopting the resolution of Mr. Woodward, calling upon the Governor to report forthwith what he had done with certain money drawn by him from the Treasury.

Which motion was lost.

The following communication was received from the Governor.

Executive Department,
Little Rock, Ark's,
Jan'y 7th, 1851.

Hon. T. B. Flournoy,
Speaker of the House of Representatives:
In reply to the following

RESOLUTION:

"*Resolved*, That the Governor be requested to report to this House forthwith, the manner, of the expenditure of $600—100 drawn by him from the Treasury for the erection of Tomb Stones, for the Hon. A. H. Sevier, John H. Strong and Lewis R. Wells and accompanying his report with abstracts and vouchers showing the manner of said expenditure."

I would most respectfully beg leave to state that I am at a loss where a co-ordinate branch of this Government derived the power to make forthwith requirements upon an other department of the same Government. The Legislative and Executive departments are co-ordinate departments, and I apprehend the Executive would have as clear a right to peremptory demands upon the Legislature as the Legislature has to issue its requirements upon the Executive. Waving this, I hope unintentional, disrespect to the Executive, and passing over the objectional tone and apparent temper of the whole resolution, I will with pleasure avail myself of this my first opportunity of transmitting the information desired, a year or more since I en-entered into a correspondence with a gentleman in the city of Louisville, with a view of procuring the work to be done, contemplated by the last Legislature and referred to in your resolution. No arrangement was made until some time in the month of May or June last, after entering into a contract but before the material could be prepared and shipped to this place, the low stage of water utterly precluded the contractor from complying with his agreement.

I received a communication from Mr. Sylva, (the contractor in this instance) a few weeks since, informing me that so soon as he thought he could reach this place with the necessary material without the danger of delay by low water he would start prepared to erect the monuments imediately on his arrival, I am expecting his arrival every day.

When I opened this correspondence, I drew from the treasury the sum of $600, the amendment of the appropriation made by the last General Assembly in scrip, which was worth at that time not more than eight-five cents on the dollar, my object in drawing it at that time was, as all scrip is redeemable according to seniorety of date, I was anxious that it might be redeemed in specie, if possible by the time I would be called upon to pay it out.

The work has been delayed much longer that I at first expected, and the scrip has been disposed of at par by me and the money is now in my hands to be paid out so soon as the work contemplated shall be completed.

I can therefore furnish you with no vouchers showing the manner of said expenditnre but would respectfully state, that the said sum of $600, now remains in my hands and will be *forthwith* turned over to be disposed of as you may *require*.

I am with respect your ob't serv't,
JOHN SELDEN ROANE.

Mr. Bailey was called to the chair.

Mr. Watson introduced a bill to be entitled an act to more effectually enforce the collection of the revenue of this State.

Which was read a first time.

On motion of Mr. Murph the rules were dispensed with and the bill was read a 2nd and 3d time.

Mr. Miller called for the ayes and noes upon the passage of the bill which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Armstrong, Ayers, Bailey, Baker, Billingsley, Bradley Carroll, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Gilmer, Hart, Hardin, Harris, Imboden, James, Lafferty, Miller, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles. Patrick, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sissel, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Watson and Mr. Speaker—51.

Those members who voted in the negative, are

Messrs Anderson, Blakemore, Brewton, Cauthron, Chandler, Cline, Farmer, Foreste, Gordon, Jackson, Johnson, Leslie, Rosson, Sevier, Sadler, and Yochum—16.

So the bill was passed.

The Speaker laid before the House the following communication from the secretary of State.

Office of the Sec'y of State,
January 7th, 1851.

Sir:

In answer to a resolution of the House of Representatives I have the honor to transmit the accompanying book and accounts showing the manner of the disposal and expenditure of the fund referred to in the auditor's report, it being drawn from the treasury on my simple order without filing vouchers—in the first week of the present General Assembly, at my instance a resolution was passed in the Senate directing the committee on the auditor's and treasurer's books, to settle my accounts of the disbursement of the funds referred to. That committee has hitherto declined to do so although I have called on the chairman for that purpose. The resolution of the House speaking of this fund being drawn from the treasury on my simple order intimates that it was unauthorized by law thereto implying a censure upon the auditor and treasurer for permitting such illigal drawing of the public money from the treasury. This is injust toward those officers as the House of Representatives must be aware that I was explicitly authorized by law to draw this fund on my simple order.

In answer to the latter part of said resolution I state that 30 copies of the Digest and 67 copies of the reports of the Supreme court, have been sold by me, in replying forthwith to the resolution of the House it is impossible to state precisely the number of each on hand.

I have the honor to be,
Very respectfully,
DAVID B. GREER.
Secretary of State.

HON. T. B. FLOURNOY,
Speaker of the House of Representatives:

The above communication was read and on motion of Mr. Trapnall was referred to the committee on Auditor's and Treasurer's books.

Mr. Witherspoon introduced a bill to be entitled an act to fix the compensation of Land attorney and State Collector.

Which was read a first time.

On motion of Mr. Witherspoon the rules were dispensed with and the bill read a 2nd time and referred to a select committee consisting of Messrs Witherspoon, Carroll, and Tebbetts.

Mr. Denton introduced a bill to be entitled an act to change the time of holding the circuit courts in the 4th judicial circuit.

Which was read a first time.

On motion of Mr. Denton the rules were suspended and the bill was read a 2nd time and referred to the committee on the judiciary.

On motion of Mr. Flournoy, joint resolution of the Senate requesting our delegation in Congress to use their influence to have Congress donate to this State the Arsenal buildings and grounds at Little Rock, to be appropriated to St. John's College, was taken up and read.

Mr. Flournoy affered to amend by inserting that all the arms and munitions of war belinging to said arsenal be removed to Fort Smith.

Which was adopted.

The resolution as amended was concurred in.

Mr. Whittington moved to reconsider the vote laying on the table till to-morrow, House bill 250 to be entitled an act to repeal an act supplemental to an act to distribute the 500,000 acres of land donated to the State of Arkansas by the United States, approved Jan'y 4th, 1849, which carried.

On motion of Mr. Whittington the rules were suspended and said bill was read a 3d time and passed.

Mr. Trapnall presented the memorial of certain citizens of Arkansas asking Congress to pass a law granting to sufferers by the French spoilation the amount of money claimed and heretofore admitted by Congress to be justly due them.

Which was read a 1st time.

On motion of Mr. Trapnall the rules were dispensed with and the memorial was read a 2nd and 3rd time and adopted.

Mr. Trapnall introduced a bill to be entitled an act authorizing the land agent to sell certain lands.

Which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill read a 2nd and 3rd time.

Mr. Sevier called for the ayes and noes on the final passage of the bill which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Armstrong, Ayers, Anderson, Bailey, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Miller, Mitchell, McIlroy, *M*cRae, Murph, Morton, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Sissel, Sevier, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington, Woodward, Watson, Yochum and Mr. Speaker—61.

The member who voted in the negative is Mr. Rosson.

So the bill was passed.

Mr. Morton introduced a bill to be entitled an act to incorporate the city, of Fort Smith;

Which was read a 1st time.

On motion of Mr. Morton the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of Messrs Morton, Trapnall and Farmer.

Mr. Lafferty introduced a bill to be entitled an act to grant James J. Barrens of Van Buren county, and Page Hatchett of Searcy county a charter to make a turnpike road.

Which was read a 1st time.

On motion of Mr. Lafferty the rules were dispensed with and the bill was read a 2nd time and referred to a select committee consisting of Messrs Lafferty, Murph, Harris, Tappan and Carroll.

Mr Speaker resumed the chair.

On motion of Mr. Sevier, the orders of the day were taken up, when the following joint resolution of the Senate was taken up.

Resolved by the General Assembly of the State of Arkansas, 1st. That our warm and cordial approbation be and the same is hereby extended to our delegation in Cougress for all that part of their official conduct which had for its object the maintenance of the rights of the South against the aggressive legislation and spirit of the late Congress of the United States.

2nd, That the Governor be requested to enclose a copy of these resolutions to each of our delegation in Congress.

The following amendment was offered by Mr. Tebbetts, on Friday last, but not then acted upon, to wit: Strike out all after the word south and insert *provided,* that nothing herein contained is intended as a condemnation by this General Assembly of the series of measures commonly called the compromise bills passed by the Congress of the United States at its last session.

Mr. Trapnall moved to lay the resolutions and amendments on the table indefinitely.

Mr. James called for the ayes and noes on the motion, which call was sustained and the roll called.

Those members who voted in the affirmative, are

*M*essrs Adams, Atkins, Armstrong, Bailey, Billingsley, Chandler, Cline, Denton, Dodson, Dodd, Embry, Farmer, Foreste, Gordon, Hardin, Imboden, Jackson, Johnson, Miller. Murph, Morton, Patrick, Preston, Pyburn, Sadler, Trapnall, Walker, Woodward and Yochum—30.

Those members who voted in the negative, are

Messrs Anderson, Ayers, Baker, Blakemore, Bradley, Brewton, Carroll, Cauthron, Eaton, Emerson, Ferguson, Fletcher, Hart, Harris, James, Leslie, Lafferty, Mitchell, McIlroy, McRae, Nettles, Russell, Rosson, Steward of Crawford, Stuart of Green, Sissel, Sevier, Trimble, Tappan, Tebbetts, Tobey, Witherspoon, Whittington, Watson and *M*r. Speaker—35.

Mr. Fletcher moved to reject the amendment offered by Mr. Tebbetts, and called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Armstrong, Bradley, Brewton, Eaton, Emerson, Ferguson, Fletcher, Gilmer, Hart, James, Leslie, McRae, Russell, Steward of Crawford, Stuart of Green, Trimble, Tappan, Tobey, Whittington, Watson and Yochum—22.

Those members who voted in the negative, are

*M*essrs Anderson, Ayers, Bailey, Baker, Billingsley, Blakemore, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Embry, Farmer, Foreste, Gordon, Hardin, Harris, Imboden, Jackson, Johnson, Miller, Mitchell, McIlroy, *M*urph, *M*orton, Nettles, Patrick, Preston, Pyburn, Rosson, Sissel, Sevier, Sadler, Trapnall, Tebbetts, Walker, Woodward and *M*r. Speaker—40.

So the motion to reject was lost.

*M*r. Sevier offered the following amendment, to wit: Provided further, that as faithful Representatives we most positively refuse to commit our people to a vote of thanks for that which was never performed, so that if any one of our delegation was absent from his post and did not perform the acts contemplated in the resolution he cannot be considered as sharing in the compliment, and it is in no wise applicable to him.

*M*r. Tebbetts called for the ayes and noes on the adoption of *M*r. Sevier's amendment which call was sustained and the roll called.

Those members who voted in the affirmative, are

*M*essrs Bailey, Leslie, Stuart of Green, Sevier and *M*r. Speaeer—5.

Those members who voted in the negative, are

*M*essrs Atkins, Anderson, Ayers, Blakemore, Brewton, Carroll, Cauthron, Chandler, Denton, Dodson, Eaton, Emerson, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Harris, Jackson, James, Johnson, *M*iller, *M*itchell, *M*cIlroy, *M*cRae, Nettles, Russell, Steward of Crawlord, Sissel, Sadler, Trimble, Tappan, Tebbetts, Tobey, Witherspoon, Whittington and Watson—39.

So the amendment was lost.

*M*r. Speaker excused *M*r. Armstrong, from voting.

Mr. Tebbetts appealed from the decision, of the chair.

The quastion was then put "will the House sustain the chair," which was decided in the affirmative.

On motion of Mr. Bailey, the House took a recess until 3 o'clock p. m.

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3 O'CLOCK, P. M., Jan'y 7th, 1851.

The House convened.

On motion of Mr. Emerson, House bill No. 184, to be entitled an act to incorporate the town of Hot Spring, was taken up and the amendment of the Senate, thereto concurred in.

The unfinished business of the morning being the Senate resolution approving the course of our delegation in Congress, was taken up.

Mr. Sevier offered the following amendment, "Be it further resolved that the General Assembly do approve of the course of Senator Borland in leaving his seat in the U. S. Senate, and remaining away more than three months during last session of Congress.

Mr Gilmer moved to reject said amendment.

*M*r Sevier called for the ayes and noes on the said motion to reject the said resolution, which was sustained and the roll called.

Those members who voted in the affirmative, are

*M*essrs. Atkins, Anderson, Ayres, Bailey, Blakemore, Brewton, Carroll, Cauthron, Chandler, Dodson, Eaton, Emerson, Farmer, Foreste, Ferguson, Fletcher, Gilmer, Hart, Harris, Imboden, Jackson, James, Johnson, Miller, Mitchell, McIlroy, McRae, Russell, Steward of Crawford, Sissel, Sevier, Sadler, Trimble, Tebbetts, Walker, Witherspoon, Whittington, Watson, Yochum, and Mr Speaker—40.

The member who voted in the negative, is Mr Tobey—1.

On motion of Mr. Tebbetts the rules were dispensed with and the resolution as amended was read a third time.

Mr Carroll called for the ayes and noes on the adoption of said resolution, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Anderson, Ayres, Carroll, Cauthron, Chandler, Denton, Dodson, Farmer, Foreste, Gordon, Harris, Jackson, Miller, Mitchell, McIlroy, Nettles, Patrick, Preston, Rosson, Sissel, Sadler, Tebbetts, Walker, and Mr Speaker—24.

Those members who voted in the negative, are

Messrs. Atkins, Armstrong, Bailey, Blakemore, Brewton, Eaton, Ferguson, Fletcher, Gilmer, Imboden, James, Lafferty, McRae, Morton, Russell, Steward of Crawford, Stuart of Green, Sevier, Trimble, Tappan, Tobey, Witherspoon, Whittington, Woodward, Watson, and Yochum—26.

So the resolution was not adopted.

On motion of Mr Watson Senate bill 117 to be entitled an act to amend the law of attachment, was taken up and read a first time.

On motion of Mr Watson the rules were suspended and the bill read a second and third time.

Mr Carroll called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Bailey, Billingsley, Denton, Dodd, Gordon, McRae, Murph, Morton, Patrick, Russell, Walker, Woodward, Watson, and Mr Speaker—14.

Those members who voted in the negative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Ayres, Blakemore, Brewton, Carroll, Cauthron, Chandler, Cline, Dodson, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Gilmer, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Lafferty, Miller, McIlroy, Nettles, Preston, Pyburn, Rosson, Steward or Crawford, Stuart of Green, Sissel, Sevier, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Whittington and Yochum—44.

So the bill did not pass.

On motion of Mr Morton Senate bill 143 to be entitled an act to apportion Sebastian and Crawford counties, was taken up and read 1st time.

On motion of Mr Morton the rules were dispensed with and the bill was read a 2d and 3d time and passed.

On motion of Mr Fletcher House bill 140 to be entitled an act to amend the revenue laws of this State, was taken up and read a 3d time.

Mr Denton called for the ayes and noes on the passage of the bill, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Bailey, Baker, Blakemore, Brewton, Cauthron, Cline, Eaton, Emerson, Embry, Ferguson, Fletcher, Gordon, Gilmer, Harris, James, Johnson, McRae, Murph, Morton, Patrick, Preston, Pyburn, Steward of Crawford, Stuart of Green, Sissel, Sadler, Tappan, Trapnall, Tebbetts, Witherspoon, Woodward, Watson and Mr Speaker—37.

Those members who voted in the negative, are

Messrs. Ayres, Billingsly, Carroll, Chandler, Denton, Dodson, Dodd, Farmer, Foreste, Hart, Hardin, Imboden, Jackson, Lafferty, Miller, Mitchell, McIlroy, Moore, Nettles, Russell, Rosson, Trimble, Walker, Whittington, and Yochum—25.

So the bill was passed.

On motion of Mr. Bailey the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

WEDNESDAY, January 8, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Lee, chaplain.

The Journal of yesterday was read and approved.

Mr. Foreste was called to the chair.

Mr Witherspoon with leave introduced a bill to be entitled an act to attach a portion of St. Francis county to Jackson county.

Which bill was read a first time.

On motion of Mr Witherspoon the rules were dispensed with and the bill read a second and third time and passed.

On motion of Mr Walker House bill to be entitled an act for the relief John T Mileham and T P Sadler, was taken up and the Senate's amendment thereto concurred in.

Mr Eaton made the following

REPORT:

The committee on propositions and grievances to whom was referred the case of Richard T. Jennings, have had the same under consideration, for a long time, and beg leave to make the following report:

Some ten years ago Mr. Jennings was employed to paint and glaze and do work of various kinds about the capitol of this State; on finishing the work some difficulty took place between Jennings and the commissioner of public buildings, and a final settlement between him and the State was deferred on that account; shortly after or at the next session of the legislature a reference took the case in hand, and from the testimony before the committee, that reference was for giving Jennings some $9,000. The State then offered him $6000 10-100. R T Jennings, above alluded to, refused to take the $6000, and commenced suit against the State for his claim. This suit has been pending since that time in the Pulaski circuit court, and in the opinion of the Attorney for the State, that the said Jennings must finally recover some $6000, and the committee are of opinion that the State will save by paying the said Jennings $6000 formerly proffered him, and a majority of the committee are of opinion that the said Jennings is entitled to interest on the $6000, from the time he quit or finished the work.

All of which is most respectfully submitted.

EATON, Chairman of com. on
Propositions and Grievances.

Mr Eaton reported at the same time a bill to be entitled an act to pay R T Jennings.

Which was read a 1st time.

On motion of *M*r Eaton the rules were dispensed with and the bill read a 2d time.

*M*r Eaton moved to amend by inserting, and interest on this amount for ten years.

Which was not adopted.

Mr Brewton offered the following amendment, amend by inserting that Jennings shall be required to pay all the costs that may have accrued by virtue of any suit he may have instituted against this State.

Which was rejected.

Said bill was laid on the table until to-morrow.

Mr Eaton from the committee on propositions and grievances to whom was referred the case of Lavinia Huddleston, reported the same back to the House and asked to be discharged from its further consideration.

Which report was adopted.

Mr Eaton from the committee on the militia to whom was referred Senate bill No 124, to be entitled an act to pay Gen. A. Wood and J. M. Cox, reported the same back to the House unfavorably.

On motion of Mr. Cline, the report and bill were laid on the table for the present.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Sen-

ate refused to assent to House bill 215 to be entitled an act to regulate the pay of witnesses in criminal cases.

Also to House bill 223 to be entitled an act to amend the 14th and 15th sections of chapter 139 of the digest of the statutes of Arkansas.

The Senate have assented to House bill No 250, to be entitled an act to repeal an act supplemental to an act to distribute the 500,000 acres of land donated to this State for Internal Improvments, approved January 10th, 1849.

Also to House bill 185 to be entitled an act to change the forms of pleading in the circuit courts.

Also to House bill 112 to be entitled an act to change the time of holding the probate courts of Jefferson county.

Also to House bill 248 to be entitled an act to change the name of Washington Perry Buckner.

Also to House bill 237 to be entitled an act to incorporate the Grand Division of the Order of Sons of Temperance of the State of Arkansas, and the subordinate divisions under its juristiction.

Also to House bill 232 to be entitled an act to grant Fielding Strawn a charter to build a turnpike road.

Also to House bill 224 to be entitled an act to define the privilege of persons hawking and pedling without license.

Also to House bill No 286 to be entitled an act concerning the treasury, with sundry amendments thereto, in which the House is asked to concur.

All of which are herewith returned.

The Senate refused to assent to House bill 180 to be entitled an act to fix the time for the election of a member of Congress, judges of the circuit court and probate courts and prosecuting attorneys, but have adopted a subsiitute therefor, which is herewith transmitted for your concurrence and assent.

The Senate have passed bill 128 to be entitled an act to carry out the provisions of the act establishing the county of Yell.

Also bill No 151 to be entitled an act concerning forfeited lands and for other purposes.

Also bill No 94 to be entitled an act to donate the forfeited lands in the county of Hempstead to the trustees of the Washington Male and Female Seminary.

Also bill 152 to be entitled an act to transfer the jurisdiction of basterdy cases.

All of which are herewith transmitted for the assent of the House.

The Senate have adopted the following joint

RESOLTION:

Resolved, by the General Assembly of the State of Arkansas, That the Auditor be and he is hereby authorizied and directed to issue his warrant on the treasury for the sum of eighty dollars in favor of John S. Roane, the Governor, to be drawn out of the contingent fund, being the amount expended by John S. Roane, the Governor, in attempting to have A. E. Thornton, late Financial Receiver, who was a defaulter, arrested.

Which is herewith transmitted for the concurrence of the House of Representatives.

I have the honor to present for your Honor's signature an act granting corporate powers for certain purposes.

Also an act for the relief of R. A. Watkins.

Also an act to incorporate the Clarendon Turnpike Company.

Also an act to amend the 153d chapter of the digest.

Also an act to authorize certain alterations in the Supreme court room.

Also an act supplementary to an act to arrange the Senatorial districts and apportioning the representatives among the several countirs of the State.

Also an act to arrange the Senatorial districts among the several counties of the State of Arkansas.

Also an act for the relief Braxton C. Crump, sheriff of Crittenden county for money paid for apprehending Marion Wright who committed murder by killing Presley G. Pollock.

The Senate have adopted a resolution to go into the election of a Financial Receiver of the Bank of the State of Arkansas.

Which is herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Sec'y of the Senate.

Mr Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act for the relief of Anthony Smith of the county of Johnson.

Also an act to incorporate the town of Clinton.

Also an act to incorporate the town of Eldorado.

Also an act to repeal an act supplemental to an act to distribute the 500,000 acres of land donated to this State for internal improvements, approved, January 10th, 1849.

Also proposed amendment to the constitution of the State of Arkansas in relation to the counties of Green, Poinsett and Desha.

Also resolution instructing our Senators and requesting our Representative in Congress to use their influence to procure the passage of a law by Congress donating the alternate sections of public land through which the plank road from Camden to Fulton on Red river passed to the Ouachita and Red River Plank Road Company.

Also an act authorizing the administrator of the estate of William Barnett to convey certain lands.

Also an act for the relief of Matthias Harkey of Yell county.

And have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker,

The select committee to whom was refeered Senate bill No 71, together with all matters relating to education, have had the same under consideration and have instructed me to report in favor of the accompanying bill, to be entitled an act to amend the common school system in the State of Arkansas.

The committee are unanimously of the opinion that the present system of common schools in this State is so defective as to be almost inoperative. And that the circumstances of the country imperatively demand some radical change in the features of the same. Proud of their position, feeling the grave importance of the subject submitted to them, and the great responsibility which they owe to themselves and to those they represent, the committee have labored diligently and faithfully to digest a system, and having critically examined the accompanying bill in all its features, provisions and relations respectfully submitt the same to the favorable consideration of the House, as the result of their deliberations and recommend its speedy passage believing that it will remedy existing evils and promote the great cause of education upon which entirely depend the fortunes and happiness of our constituents and the bright and glorious destiny of our State.

TEBBETTS, Chairman.

The bill accompanying said report was read a 1st time.

On motion of Mr. Denton the rules were suspended and the bill was read a 2d time.

Mr. Foreste offered the following amendment:

Amend the 26th section by striking out common school fund and insert county revenue for payment of commissioner, clerk and treasurer.

Which was adopted.

Mr. Preston offered the following amendment:

Amend by striking out 'and saline,' and insert and from the lease of the saline lands belonging to the State.

Which was adopted.

Mr Cline offered the following amendment:

Amend 5th section by inserting that no part thereof shall be sold for a less sum than two dollars per acre till the same shall have been twice offered and has failed to sell for that sum it may then be sold for a sum not less than one dollar and twenty-five cents per acre.

Mr Blakemore called for the ayes and noes on the adoption of said amendment, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Anderson, Ayers, Blakemore, Bradley, Brewton, Cauthron, Cline, Denton, Dodson, Dodd, Ferguson, Hart, Hardin, Lafferty, McRae, Murph, Morton. Moore, Rosson, Trapnall, Tebbetts, Tobey, Watson, Yochum and Mr. Speaker—27.

Those members who voted in the negative, are

Messrs Adams, Armstrong, Baker, Billingsley, Carroll, Chandler, Eaton, Emerson,, Embry, Farmer, Foreste, Fletcher Gordon, Gilmer, Harris, Jackson, Johnson, Leslie, Miller, Mitchell, McIlroy. Nettles, Patrick, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sissel, Sadler, Trimble, Tappan, Walker, Whittington and Wills—36.

So the amendment was not adopted.

Mr Hardin asked and obtained leave of absence for Mr Imboden on account of indisposition.

Mr Ferguson offered the following amendment:

Add to the last section 'provided that nothing herein contained shall not repeal an act passed at this session of the General Assembly, in respect to the schools and school lands of Arkansas.'

Which was adopted.

On motion of Mr James the rules, were dispensed with and the bill read a third time and passed.

Mr Nettles was called to the chair.

Mr Watson from the committee on ways and means to whom had been referred House bill No 194, to be entitled an act to amend the second section of chapter 139 under the head of revenue, reported the same back to the House and recommended its passage.

On motion of Mr Patrick said bill was laid on the table until to-morrow morning.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed bill No 146, to be entitled an act to pay Wm. H. Armstrong, towhich the assent of the House is respectfully asked

JOHN M. ROSS
Sec'y of Senate.

Mr Tebbetts from the committee on internal improvement to whom had been referred House bill No 63 to be entitled an act to declare the road from Little Rock to Fort Smith on the south side of the river, a public highway, reported the same back to the House favorably.

Mr Speaker resumed the chair.

Mr Nettles proposed to amend as follows:

Strike out all in the first section after the word highway in the 6th line and insert, provided that the several county courts of the counties through which said road passes, shall have the discretionary power to keep said road in repair within their respective counties as other county roads are kept under existing laws.

Which was adopted.

On motion of Mr Cauthron the rules were dispensed with and the bill read a third time and passed.

Mr Watson from the committee on ways and means introduced a bill entitled an act making appropriations.

Which was read a first time.

Mr Fletcher moved to print said bill, which motion was lost.

On motion of Mr Fletcher the rules were dispensed with and the bill read a second time, and made the special order of the day for to-morrow morning to be considered in committee of the whole.

Mr Fletcher made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred Senate bill No 71, entitled an act to unite the Seminary and Sixteenth section funds of Washington in support of common schools, have had the same under consideration, and have instructed me to report that they deem the passage of said bill inexpedient, inasmuch as the provisions contained therein are incorporated in bill passed by this House entitled an act to amend the common school system in the State of Arkansas. They instruct me to recommend that the bill lay upon the table indefinitely.

TEBBETTS, Chairman.

Which report was laid on the table for the present.

Mr Tobey made the following

REPORT:

Mr Speaker:

The committee on public buildings at the request of the Governor, have examined the House in which His Excellency resides, and are of opinion that a small appropriation should be made to repair the roof of said House, it being in a decayed and leaky condition, they have therefore, instructed me to report a bill entitled an act to make an appropriation to repair the Governor's House, and to recommend its passage.

TOBEY, Chairman.

Said bill was read a 1st time.

On motion of *Mr* Tobey the rules were dispensed with and the bill read a second and third time and passed.

Mr Trapnall from the committee on the judiciary to whom was referred House bill No 253, entitled an act to change the time of holding the circuit courts of the 4th judicial circuit, reported the same favorably back to the House.

Mr Foreste moved to amend by exempting Madison county from the operation of the bill, which was lost.

On motion of Mr Denton the rules were dispensed with and the bill read a third time.

Mr Foreste called for the ayes and noes on the final passage of the bill, which were ordered and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Bradley, Carroll, Cauthron, Chandler, Denton, Dodson, Dodd, Emerson, Embry, Ferguson, Fletcher, Gilmer, Hart, Jackson, James, Leslie, McIlroy, McRae, Murph, Morton, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Sissel, Trimble, Tappan, Trapnall, Tebbetts, Witherspoon, Whittington, Woodward, Wills, Watson and Mr Speaker—47.

Those members who voted in the negative, are

Messrs. Foreste, Gordon, Harris, Johnson, Lafferty, Miller, Stuart of Green, Sadler, Tobey and Walker—10.

So the bill was passed.

On motion of Mr Woodward House bill No 194, to be entitled an act to amend the second section of chapter 139 under the head of revenue, was taken up and recommitted to the committee on ways and means.

Senate bill 144 to be entitled an act to extend and confirm the charter heretofore granted for a toll bridge in St. Franeis county was taken up and read a first time.

On motion of Mr Fletcher the rules were suspended and the bill read a 2d and 3d time and passed.

Mr Morton made the following

REPORT:

Mr. Speaker:

The select committee to whom was referred House bill 255 to be entitled an act to incorporate the City of Fort Smith, have had the same under consideration and have instructed me to report the same back to the House without amendment and recommend its passage.

MORTON, Chairman.

Which report was adopted and the bill read a 3d time and passed.

Senate bill 146 to be entitled an act to pay Wm. H. Armstrong clerk of the Bank committee, was taken up and read a 1st time.

On motion of Mr Woodward the rules were dispensed with and the bill was read a 2d and 3d time and passed.

On motion of Mr Tebbetts the vote rejecting Senate Bill No

117 to be entitled an act to amend the law of attachment was reconsidered.

On motion of Mr Nettles the House took a recess till half past two o'clock, P. M.

Half past 2 o'clock, P. M.
January 8th, 1851.

The House convened.

Senate bill No 48 to be entitled an act respecting White river, was taken up and read a 1st time.

On motion of Mr Denton the rules were dispensed with and the bill was read a 2d and 3d time and passed.

On motion of *M*r Atkins leave of absence was granted to *M*r Yochum.

The following message was received from the Senate:

Mr. Speaker,

I am instructed to inform your houourable body that the Senate have passed bill No 148 to be entitled an act to amend an act to facilitate the liquidation of the Bank of the State of Arkansas, approved 9th of January, 1849.

Which is herewith transmitted for the assent of the House.

The Senate have assented to House bill 260, to be entitled an act to attach a portion of St. Francis county to Jackson county.

Also to House bill 253, to be entitled an act to change the time of holding the circuit courts in the 4th judicial circuit.

All of which are herewith returned.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill 72, to be entitled an act to allow jurors and witnesses mileage, reported the same back to the House unfavorably, which report was adopted and the bill rejected.

Mr. Trapnall from the committee on the judiciary to whom was referred Senate bill No 122, to be entitled an act to appoint special administrators in certain cases, reported the same back to the House favorably.

On motion of Mr. James the rules were dispensed with and the bill was read a third time and passed.

Mr. Trapnall from the committee on the judiciary to whom was referred House bill No. 247, to be entitled an act for ascertaining and securing the assets of the Real Estate Bank of the State of Arkansas, reported the same back to the House with an amendment and recommended its passage.

Which report was adopted.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 3d time.

Mr. James called for the ayes an noes upon the final passage of the bill which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Anderson, Armstrong, Ayres, Billingsly, Blakemore, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Gordon, Gilmer, Hart, Hardin, Harris, Jackson, James, Lafferty, Miller, Mitchell, McIlroy, Murph, Nettles, Preston, Steward of Crawford, Sevier, Sadler, Trimble, Trapnall, Tebbetts, Tobey, Walker, Whittington, Wills, Watson and Mr. Speaker—47.

None of the members voted in the negative—so said bill was passed.

On motion of Mr. Fletcher leave of absence was given Mr. Patrick on account of ill health.

Mr. Sevier offered the following

RESOLUTION:

Resolved, That Miss E. M. Woods be permitted to use the House of Representatives for the purpose of holding her next examination of her Female School to take place some time in June or July next.

Which was adopted.

Mr. Fletcher introduced a bill to be entitled an act supplementary to an act to provide for the reclaiming the swamp and overflowed lands within the State, approved, January 6th, 1851,

Which was read a 1st time.

On motion of Mr. Fletcher the rules were dispensed with and the bill read a second time and referred ta a select committee of six, to wit:—

Messrs. Fletcher, Ferguson, James, Trapnall, Preston and Mr. Speaker.

Mr. Carroll introduced a bill to be entitled an act for the relief of R. C. Byrd and James Lawson.

Which was read a first time.

On motion of Mr. Carroll the rules were dispensed with and the bill road a second time and referred to the committee on education.

Mr. Lafferty from the select committe to whom had been referred House bill No 256, to be entitled an act to grant James J. Banens of Van Buren county, and Page Hatchett of Saercy county, a charter to make a turnpike, reported the same back to the House and recommended its passage.

On motion of Mr. Lafferty the rules were dispensed with and the bill read a third time and passed.

On motion of Mr. Sevier, Senate bill No. 127, to be entitled an act for the relief of John H. Hammack,

Was taken up and read a 1st time.

On motion of Mr Sevier the rules were dispensed with and the bill read a second time.

On motion of Mr. Trapnall the bill was referred to the committee on the Penitentiary.

Mr. Fletcher introduced a joint resolution instructing our Senators and requesting our Representative in Congress to advocate the establishment of a Military Academy at some point in the south western States.

Which was read a first time.

On motion of Mr. Tebbetts the rules were dispensed with and the resolution read a second and third time and adopted.

Mr. Carroll from a select committee to whom had been referred House bill No 252, to be entitled an act to fix the compensation of Land Attorney and State Collector and for other purposes, reported the same back to the House and recommended its passage.

Mr. Miller moved to lay the bill on the table until the 4th day of July next.

Mr. Denton called for the ayes and noes on said motion which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Ayres, Billingsly, Blakemore, Chandler, Cline, Denton, Dodson, Dodd, Embry, Ferguson, Farmer, Foreste, Gordon, Hardin, Harris, Jackson, Johnson, Leslie, Lafferty, Miller, Mitchell, *M*cIlroy, *M*cRae, *M*urph, Nettles, Pyburn, Russell, Rosson, Steward of Crawford, Sissell, Sevier, Sadler, Trimble, Wills and Watson—36.

Those who voted in the negative, are

Messrs. Adams, Atkins, Anderson, Armstrong, Brewton, Carroll, Cauthron, Eaton, Emerson, Fletcher, Gilmer, Hart, James, Morton, Prestan, Stuart of Green, Tappan, Trapnall, Tebbetts, Tobey, Walker, Witherspoon, Whittington and Mr. Speaker—24.

So the motion to lay the bill on the table prevailed, and the bill was lost.

On motion of Mr. Dodd, House bill No 136, to be entitled an act to provide for the sale of the Salt Springs and lands thereto attached and to appropriate the proceeds thereof to common schools, was taken up.

Mr. Denton moved to reject said bill and called for the ayes and noes, which call was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs. Adams, Anderson, Armstrong, Ayres, Billingsly, Brewton, Carroll, Cauthron, Chandler, Cline. Denton, Dodson, Eaton, Embry, Ferguson, Farmer, Foreste, Fletcher, Hart, Hardin, Harris, James, Johnson, *Mc*Ilroy, Murph, Morton, Nettles, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Sissel, Tappan, Trapnall, Tebbetts, Tobey, Whittington, Woodward, Watson and *M*r. Speaker.—41.

Those members who voted in the negative, are

Messrs. Atkins, Blakemore, Dodd, Gordon, Gilmer, Jackson, Leslie, Lafferty, Miller, Mitchell Stuart of Green, Sevier, Sadler, Trimble, Walker, Witherspoon and Wills—17.

So the bill was rejected

On motion of Mr. James Senate bill No 140, to be entitled an act to authorize Antoine Barraque, Sen., to dispose of certain lands, was taken up and read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a second and third time and passed.

On motion of Mr. Sissel the Senate's amendment to House bill No 193, to be entitled an act to grant a charter to Burton H. Kinsworthy to make a turnpike or plank road were concurred in.

On motion of Mr. James, Senate joint resolution instructing our Senatois and requesting our Representative in Congress to procure a mail route, from Pine Bluffs to Chambersville in Calhoun county, was taken up and read a first time.

On motion of Mr. James the rules were dispensed with and the resolution was reah a 2d time and concurred in.

Mr. Chandler was called to the chair.

On motion of Mr. Hardin the amendments of the Senate to House bill no 230, to be entitled an act to incorporate the town of Smithville, were concurred in.

On motion of Mr. Carroll House bill No 33, to be entitled an act to exempt a homestead from execution or forced sale was taken up.

Mr. Denton moved to reject the bill and called for the ayes and noes which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Anderson, Ayres, Billingsley, Blakemore, Cline, Denton, Dodson, Foreste, Hardin, Johnson, Leslie, Miller, McIlroy, Pyburn, Russell, Rosson, Sadler, Trapnall, Tebbets, Walker and Wills—21.

Those members voting in the negative, are

Messrs. Adams, Atkins, Armstrong, Baker, Brewton, Carroll, Cauthron, Chandler, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Fletcher, Gordon, Gilmer, Hart, Harris, Jackson, James, Lafferty, Mitchell, McRae, Murph, Morton, Nettles, Preston, Steward of Crawford. Stuart of Green, Sissel, Trimble, Tappan, Tobey, Whittington, Woodward and Watson—37.

So the motiom to reject was lost.

On motion of Mr. Johnson the House adjourned.

T. B. FLOURNOY,
Speaker of the House

THURSDAY, JAN. 9th, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The journal of yesterday was read and approved.

The following message was received from the Senate:

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have assented to House bill 209, to be entitled an act to further regulate the sale of 500,000 acres of land donated to the State of Arkansas, with sundry amendments thereto in whch the concurrence of the House is asked.

Also to House bill 243, to be entitled an act directing the Secretary of State, to distribute the acts and journals of this General Assembly among the several counties of this State.

Also House bill 202, to be entitled an act to adjust the title and regulate the sale of the 500,000 acres of land donated to the State of Arkansas.

All of which are herewith returned.

The Senate have passed bill 149, to be entitled an act to incorporate the Pine Bluff and Camden Turnpike Company.

Also bill 153, to be entitled an act to arrange the State of Arkansas into districts for the election of Representatives in the Congress of the United States.

Also bill 154, to be entitled an act to repeal so much of the 4th section of an act approved, January 10th, 1849, as requires the Secretary of State to take possession of the two rooms in the west wing of the State House.

Also Senate bill 156, to be entitled an act for the relief of the securities of John Hickey, sheriff of Pope county.

All of which are herewith transmitted for the assent of the House of Representatives.

The Senate have adopted a joint resolution authorizing the Financial Receiver of the State Bank to settle the defalcation of M. W. Dorris, dec'd., with his administrators.

Also joint resolution proposing to amend the 29th section of the 4th article of the Constitution, so as to allow the county of Lafayette to be reduced to 800 square miles, and that a new county be formed out of Lafayette of like dimensions.

Also a joint resolution proposing to amend the Constitution so as to elect the Auditor, Treasurer, and Secretary of State by the qualified voters of this State.

Which are herewith transmitted for the concurrence of the House of Representatives.

The Senate have passed a bill to be entitled an act to provide for the sale of the Salt Springs and the lands thereto attached, and to appropriate the proceeds thereof to common schools.

Which is herewith transmitted for the assent of the House of Representatives.

JOHN M. ROSS,
Secretary of Senate.

The House resolved itself into a committee of the whole to take up and consider the general appropriation bill.

Mr. Foreste in the chair.

The committee, after sitting some time, arose and reported the bill back to the House with sundry amendments and recommended its passage.

Which report was adopted.

Mr. Whittington moved to amend the bill by striking out $200 to the Secretary of State for distributing the acts and journals.

Which was lost.

On motion of Mr. Whittington $1500 for keeping the public buildings in repair was stricken out, and $500 inserted.

Mr. Baker offered to amend by inserting that $65 to John H. Hammack for clothing and money furnished by him to discharge convicts.

Which was adopted.

Mr. Whittington from the committee on the Penitentiary to whom was referred Senat bill 127, entitled an act for the relief of John H. Hammock, reported the same back to the house favorably.

On motion of Mr. Whittington the rules were suspended, the bill read a 3rd time and passed.

Mr. Tappan presented the petition of sundry citizens of Ppilips county, asking the Legislature to remove to seat of Government from Little Rock to Helana, accompanied by a bill to be entitled an act to remove the seat of Government to Helena.

Which was read a first time.

On motion of Mr. Patrick the rules were suspended, the bill read a 2nd time and referred to a select committee of Messrs Tappan, Carroll, Tebbetts, McRae, Whittington and Patrick.

Senate bill 148, to be entitled an act to repeal an act entitled an act to facilitate the liquidation of the bank of the State of Arkansas approved 9th Jan'y, 1849, was taken up and made together with bank report the special order for this evening.

House bill 246, entitled an act concerning the Treasury, and Senate amendment thereto concurred in.

Mr. Tappan made the following

REPORT:

Mr. Speaker—

The committee on enrollments have examined an act to attach a portion of St. Francis county to Jackson county.

Also an act to define the privilege of persons hawking and peddling goods, wares and merchandise in this State without licence.

Also an act to incorporate the town of Hot Springs.

Also an to change the time of holding the probate courts of Jefferson county.

Also an act to change the time of holding the circuit courts in the 4th judicial circuit.

Also an act to incorporate the St. Francis and Memphis plank road company.

Also an act to incorporate the Eldorado plank road company.

Also an act to incorporate the Grand Division of the Sons of Temperance.

Also an act to change the time of holding the circuit court in the counties of Hot Spring, Dallas, Calhoun, Ashley, Chicot, Desha, Arkansas, and Jefferson.

Also an act to promote the navigation of Big Creek in the county of Phillips.

Also an act for the relief of Joseph T. Mileham and T. P. Sadler.

Also an act to change the name of Whshington Perry Buckner.

Also an act concerning the treasury, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Mr. Jackson offered a resolution in relation to the affairs of the State bank of Arkansas, which was read and laid over until this evening to be taken up with the report of the bank committee.

On motion of *Mr.* Foreste Senate bill No. 124, to be entitled an act to pay Gen. A. Wood and J. M. Cox, was taken up and read a third time and passed.

House bill No. 261, to be entitled an act to pay R. T. Jennings, was taken.

On motion of Mr. Eaton, the rules were dispensed with in order that the bill might be read a 3rd time and put upon its final passage; when

The following message was received from the Governor.

Mr. Speaker

I am instructed to inform your honorable body, that the Governor has approved and signed an act to incorporate the Rockville manufacturing company.

Also an act to authorize Jonathan Hardin of Conway county to make a turnpike road.

Also an act to establish the county of Sebastion.

Also an act to incorporate the town of Clinton.

Also an act to incorporate the town of Eldorado.

Also an act for the benefit of Anthoms Smith.

Also an act for the relief of Mathias Harkey.

Also an act to authorize the administrator of Wm. Barnett alias Wm. D. Barnett, dec'd to convey certain lands.

Also an act to repeal an act supplemental to an act to distribute the proceeds of the 500,000 acres of land donated to the State for Internal Improvements approved Jan'y 10th, 1849.

Also an act for the benefit of Charlotte Prince of the county of Jackson.

Also an act for the relief of Thomas A. Howell, of Pope county.

Also an act to change the name of Mount Vernon the county seat of Izard county.

Also an act to amend an act entitled an act to incorporate the town of Pine Bluffs approved Dec. 12th, 1846.

Also an amendment proposed to the constitution of Arkansas.

Also resolution instructing our Senator's in Congress and requesting our Representative in Congress to use their influence to procure to Ezra Hill and others to whom a charter has been granted to construct a Plank Road from the city of Camden to Fulton on Red river, of every alternative section of public land in each township through which said road may pass.

M. L. BELL,
Private Secretary.

On motion of Mr. Witherspoon the House took a recess till 2 o'clock, p. m.

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2 O'CLOCK, P. M.,
Jan. 9, 1851.

The House convened.

On motion of Mr. James, leave of absence was granted Mr. Bailey.

Senate bill 133, to be entitled an act to compensate the State Treasurer for receiving and disbursing the Internal Improvement and Seminary funds.

On motion of *Mr*. Tebbetts, rules were suspended, the bill read a 3d time and passed.

Senate bill 149, to be entitled an act to incorporate the Pine Bluff and Camden turnpike company, was taken up and read a 1st time.

On motion of Mr. James the rules were suspended and the bill read a 2nd and 3rd time and passed.

Mr. Watson offered the following

RESOLUTION:

Resolved, That the clerk of the House be authorized to employ assistants and that such assistants be allowed each five dollars per day as compensation, to be paid out of the funds appropriated to pay members and officers of the General Assembly.

Which was adopted.

Mr. Whittington introduced the following

JOINT RESOLUTION.

Resolved, by the General Assembly of the State of Arkansas, That the Secretary of State be and he is hereby required to have published in the newspapers in this State, an act to change the forms of pleadings in the circuit courts of this State.

Which was read a first time.

On motion of Mr. Whittington the rules were dispensed with and the resolution was read a 2nd and 3rd time and adopted.

On motion of Mr. Tebbetts, the Senate's amendments to House bill No. 209, to be entitled an act further to regulate the sale of the 500,000 acres of land donated to the State of Arkansas, were concurred in.

On motion of Mr. Gilmer, the Senate's amendments to House bill No. 198, to be entitled an act to change the name of Martha R. Weeks to Martha R. Cannon, were concurred in.

On motion of Mr. Foreste, Senate bill No. 148, to be entitled an act to amend an act entitled an act to facilitate the liquidation of the bank of the State of Arkansas, approved 9th Jan'y, 1849, and the resolution introduced this morning by Mr. Jackson were taken up and read.

Mr. Trapnall offered the following

RESOLUTION:

Resolved, That the committee on the judiciary be instructed to bring in a bill repealing the act putting the State bank into liquidation and requiring all the assetts to be turned over to the treasurer of the State and providing for the employment of an attorney or attorneys to collect all the assets in the speediest manner and to examine into the accounts of all the officers of the bank and to bring and prosecute suits for all and every breach of duty and every violation of he laws.

Mr. Dodson called for the ayes and noes upon the adoption of said resolution which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Armstrong, Baker, Billingsley, Bradley, Brewton, Cauthron, Dodd, Eaton, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Hardin, Harris, Imboden, Johnson, Lafferty, Mitchell, McIlroy, McRae, Merph, Patrick, Preston, Pyburn, Rosson, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Trapnall, Tobey, Walker, Witherspoon, Whittington, Woodward, Wills, Watson, Yochum and Mr. Speaker—43.

Those voting in the negative, are

Messrs Anderson, Ayers, Blakemore, Chandler, Cline, Denton, Dodson, Emerson, Farmer, Jackson, James, Leslie, Nettles, Russell, Steward of Crawford and Tebbetts—17.

So the resolution was adopted.

On motion of Mr. Trapnall, Senate bill No. 148, to be entitled an act to amend an act entitled an act to facilitate the liquidation of the bank of the State of Arkansas approved Jan'y 9th, 1849.

And Mr. Jackson's resolution were laid on the table until to-morrow.

The following communication was received from the Governor.

EXECUTIVE OFFICE,
Little Rock, Ark's,
Jan'y 9th, 1851.

Hon. T. B. FLOURNOY,
Speaker of the House of Representatives:

After the battles of Contreras and Churubusco, fought in the valley of Mexico on the 19th and 20th day of August, 1847, Gen. Allen Wood, a citizen of Arkansas, held an honorable post, and for his gallant and meritorious services rendered upon those memorable days received the honorable mention of the commanding General and the brevet rank of major by the President, and as a further manifestation in which military services and the services of the company which he so gallantly, led into the field, were held by Maj. Gen. Winfield Scott, the commander in chief of the American Army in Mexico, presented the accompanying maps of the battles in the valley of Mexico, to this company for their distinguished services at the battles of Contreras and Churubusco.

In obedience to the wish of his company, Gen. Wood has expressed a desire that these maps together with the muster roll of the company to which they were presented, should be presented to the General Assembly of their and his adopted State to be disposed of as may be thought proper. I would respectfully suggest that they be deposited in the office of the secretary of State there to remain as an honorable memento of the gallant and meritorious services of this company and its commander in behalf of their country.

I have the honor to be
Respectfully your ob't serv't.
JOHN SELDEN ROANE.

On motion of Mr. Tebbetts it was ordered by the House that the clerk hand over said muster roll and accompanying plats to the Secretary of State to be by him deposited in the archives of the State for safe keeping.

The following message was received from the Senate.

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have assented to House bill, 187, to be enttitled an act to provide for the establishment of poor Houses.

Which is herewith returned.

JOHN M. ROSS,
Sec'y of the Senate.

On motion of Mr. Witherspoon, Senate joint resolution proposing to amend the constitution so as to elect the secretary of State, Auditor and Treasurer, by the qualified voters of the State, was taken up, read a 1st time and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Armstrong, Ayers, Baker, Billingsley, Brewton, Carroll, Cauthron, Chandler, Denton, Dodson, Eaton, Ferguson, Farmer, Foreste, Gordon, Gilmer, Hart, Hardin, Harris, Imboden, Jackson, James, Johnson, Leslie, Mitchell, McIlroy, Moore, Nettles, Russell, Rosson, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Tobey, Witherspoon, Whittington, Wills, and Yochum—42.

Those members who voted in the negative, are

Messrs Anderson, Blakemore, Bradley, Cline, Dodd, Embry, Fletcher, Lafferty, McRae, Murph, Patrick, Preston, Pyburn, Steward of Crawford, Trapnall, Tebbetts, Walker, Woodward, Watson, and Mr. Speaker—20.

So the proposed amendment passed to a second reading.

On motion of Mr. Sevier, Senate's proposed amenoment to the constitution reducing Lafayette county, to eight hundred square miles was taken up, read a first time and the roll called.

Those members who voted in the affirmative, are

Messrs. Adams, Anderson, Armstrong, Baker, Billingsley, Bradley, Brewton, Carroll, Cauthron, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Gordon, Hart, Hardin, Harris, Jackson, Johnson, Leslie, Lafferty, Mitchell, McRae, Murph, Moore, Nettles, Preston, Pyburn, Russell, Steward of Crawford, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Witherspoon, Whittington, Wills, Watson, Yochum and Mr. Speaker—44.

Those members who voted in the negative, are

Messrs. Ayres, Chandler, Cline, Denton, Dodson, Foreste, Gilmer, McIlroy, Rosson, Trapnall, Tebbetts and Walker—13.

So the proposed amendment was passed to a second reading.

Mr. Fletcher from the select committee to whom was referred House bill to be entitled an act supplementary to an act to provide for the reclaiming the swamp and overflowed lands within this State, approved, January 6th, 1851, reported the same back to the House with an amendment and recommended its passage—which report and amendment were adopted and the bill as amended was read a third time and passed.

On motion of Mr. Whittington Senate bill No 102, to be entitled an act for the relief of James H. Crow, was taken up and read a first time.

On motion of Mr. Whittington the rules were dispensed with and the bill was read a 2d time.

on motion of Mr. Murph said bill was rejected.

On motion of Mr. Foreste the memorial to the Congress of the United States asking a donation of 160 acres of land to actual settlers, was taken up and read a 2d time.

On motion of Mr. Foreste the rules were dispensed with and the memorial was read a 3d time and adopted.

House bill No 248, to be entitled an act for paying the amount of a judgment to Joseph R. Bettison, was taken up and read a second time.

On motion of Mr. Carroll the rules were dispensed with and the bill was read a third 3d and passed.

Senate bill No 153, to be entitled an act to arrange the State of Arkansas into districts for the election of Representatives in the Congress of the United States, was taken up and read a 1st time.

On motion of Mr. Denton the rules were dispensed with and the bill was read a 2d time.

On motion of Mr. Eaton the bill was laid on the table until to-morrow.

On motion of *M*r. Fletcher 100 copies of the bill were ordered to be printed.

Senate bill No 150, to be entitled an act for holding an election of Representatives to the Congress of the United States and to change the time of other elections, which was substituted by the Senate for House bill No 180, to be entitled an act to fix the time for the election of members of Congress, Judges of the Circuit and Probate courts and Prosecuting Attorney, was taken up and read.

The question was then put by the Speaker, "will the House adopt the substitute," which was decided in the negative, and the bill was rejected.

Mr. Tappan from the select committee to whom had been referred House bill No 266, to be entitled an act to remove the seat of government to Helena, reported the same back to the House and recommended its passage.

Mr. Rosson moved to lay the bill on the table until 4th July, 1899, and called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Brewton, Carroll, Chandler, Dodd, Emerson, Embry, Farmer, Foreste, Gordon, Hart, Jackson, James, Johnson, McIlroy, Nettles, Russell, Rosson, Sissel, Sadler, Walker, Wills and Watson—22.

Those members who voted in the negative, are

Messrs. Anderson, Armstrong, Ayres, Billingsley, Blakemore, Bradley, Cauthron, Cline, Dodson, Eaton, Ferguson, Fletcher, Gilmer, Hardin, Harris, Imboden, Leslie, Lafferty, Mitchell, McRae, Murph, Morton, Moore, Preston, Pyburn, Steward of Crawford, Stuart of Green, Sevier, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward and Mr. Speaker—37.

So the motion to reject did not prevail.

On motion of Mr. Fletcher the rules were dispensed with and the bill was read a third time.

Mr. Foreste called for the ayes and noes upon the passage of the bill which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Armstrong, Ayers, Billingsley, Blakemore, Bradley, Cauthron, Dodson, Eaton, Ferguson, Fletcher, Gilmer, Hardin, Harris, Imboden, Leslie, Lafferty, Mitchell, Murph, Patrick, Preston, Pyburn, Stuart of Green, Tappan, Tebbetts, Witherspoon and Mr. Speaker—26.

Those members who voted in the negative, are

Messrs. Adams, Anderson, Brewton, Carroll, Chandler, Cline, Dodd, Emerson, Embry, Farmer, Foreste, Gordon, Hart, Jackson, James, Johnson, McIlroy, McRae, Morton, Nettles, Russell, Rosson, Steward of Crawford, Sissel, Sevier, Sadler, Trapnall, Tobey, Walker, Whittington, Woodward, Wills and Watson—33.

So the bill was not passed.

On motion of Mr. Tobey Senate bill No 156, to be entitled an act for the relief of the securities of John Hickey, sheriff of Pope county, was taken up and read a 1st time.

On motion of Mr. Tobey the rules were dispensed with and the bill read a 2d time.

Mr. Tobey offered the following amendment:

Add after the last section, "provided he shall give bond with security for the faithful performance of his duties and the payment of the county and State revenue as other sheriffs are required to do."

Which was adopted

On motion of Mr. Tobey the rules were again suspended and the bill as amended read a third time and passed.

On motion of Mr. Sevier the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

FRIDAY, JAN. 10th, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr Lee, Chaplain.

Journal of yesterday was read and approved.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have receded from their 5th and 6th amendments of the bill of the House to be entitled an act to provide for the building a safe and durable wall around the Penitentiary, proper workshops, keepers house, and for the improvement of the Penitentiary system.

The bill is herewith returned.

The Senate have assented to House bill 163, entitled an act to declare the road from Little Rock to Fort Smith a public highway, with an amendment to which the concurrence of the House is asked.

Also to House bill to be entitled an act to amend the common school system in Arkansas with sundry amendments, thereto in which your honorable body is respectfully asked to concur.

Also to House bill No 255, entitled an act to incorporate the city of Fort Smith with an amendment thereto, in which your honoreble body is asked to concur.

Also to House bill 251, to be entitled an act more effectually to enforce the collection of the revenue of this State.

Also to House bill No 256, to be entitled an act to grant James J. Bowens of Van Buren county, and Page Hatchett of Searcy county, a charter to make a turnpike road.

All of which are herewith returned.

The Senate have passed bill No 158, to be entitled an act to protect the telegraph lines in this State.

Also Senate bill No 159, to be entitled an act to incorporate the Mississippi and Arkansas telegraph company.

Also Senate bill No 160, to be entitled an act to authorize Sol. P. Shaffer and his associates, to erect lines of telegraph in this State, which are herewith transmitted for the assent of the House.

The Senate have passed House bill to be entitled an act supplementary to an act for reclaiming the swamp and overflowed lands within this State, approved, January 6th, 1851, with amendments thereto, to which the concurrence of the House is respectfully asked.

Also House bill No 248, to be entitled an act for paying the amount of a judgment to Joseph R. Bettison.

Also to House bill to be entitled an act to grant a charter to G. W. Robertson and Blake Lytle to build certain bridges.

The Senate have refused to assent to House bill No 40, to be entitled an act to amend the revenue laws of this State, which is herewith returned.

The Senate refuse to assent to House bill No. 66, to be entitled an act regulating the compensation of county treasurers, which is herewith returned.

The Senate have concurred in the amendments of the House to Senate bill No 156, to be entitled an act for the relief of the securities of John Hickey, sheriff of Pope county.

The Senate have adopted a joint resolution to meet in convention at 12 o'clock m., to-day, 10th inst., to elect a Financial Receiver of the State Bank of this State,

Which is herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

The following message was received from the Governor:

Mr. Speaker—

I am instructed to report to your hon. body that the Governor has approved and signed an act to incorporate the Grand Division of the order of Sons of Temperance of the State of Arkansas and the subordinate Divisions under its jurisdiction.

Also an act to change the time of holding the Probate courts in the county of Jefferson, and the special November term of the county court of said county.

Also an act to define the privileges of all persons having, or who may have the privilege by law to hawk and peddle goods, wares, and merchandize in the State of Arkansas without license.

Also an act to incorporate the El Dorado plank road company.

Also an act to change the name of Washington Perry Buckner.

Also an act for the relief of Joseph T. Mileham late sheriff of Franklin county and T. P. Sadler late sheriff of Yell county.

Also an act to incorporate the St. Francis and Memphis plank road company.

Also an act to promote the navigation of Big Creek in the county of Phillips.

Also an act to change the time of holding the circuit courts in the counties of Hot Spring, Dallas, Calhoun, Ashley, Chicot, Desha, Arkansas and Jefferson.

Also an act to attach a portion of St. Francis county to the county of Jackson.

Also an act to grant a charter to Fielding Strawn to make a turnpike road.

Also an act concerning the Treasury.

M. L. BELL,
Private Sec'y.

Senate bill No 128, to be entitled an act to carry out the provisions of the act establishing the county of Yell, was taken up and read a first time.

On motion of Mr. Foreste the rules were dispensed with and the bill was read a 2d and 3d time.

Mr. Cauthron called for the ayes and noes on the final passage of the bill which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Ayers Baker, Blakemore, Bradley, Carroll, Cauthron, Cline, Denton, Eaton, Emerson, Embry, Foreste, Jackson, Johnson, Lafferty, Murph, Morton, Moore, Patrick, Preston, Pyburn, Rosson, Stewrd of Crawford, Stuart of Green, Trimble, Tappan, Trapnall, Walker, Whittington, Woodwrrd and Watson—32.

Those members who voted in the negative, are

Messrs. Anderson, Armstrong, Billingsley, Chandler, Ferguson, Fletcher, Harris, James, Leslie, Miller, Mitchell, McIlroy, McRae, Nettles, Sadler, Tobey, Wills and Yochum—18.

So the bill was passed.

Mr. Fletcher from the committee on ways and means to whom was referred House bill to be entitled an act to amend the 2nd section of chapter 139 under the head of Revenue, made the following report.

In the House of Representatives on the 10th Jan,

Mr. Fletcher made the following

REPORT:

Which was adopted.

The committee on ways and means to whom was referred House bill No. 194, entitled an act to amend the 2nd section of the Digest of the Statutes of this State under the head of Revenue,

REPORT:

That the existing law was approved December, 1846, that under its operations the revenue of the State has increased from $28,860 31, the gross amount of State tax for the year 1846, to $70,498 72, the gross amount of revenue for the year 1847.

By reference to the Auditor's report it appears that the gross amount of State tax for the four years last past, was as follows:

	Gross amount of taxable property.	*Gross amount of State tax.*
1847	$27,178,875 43	$70,498 72
1848	28,904,596 88	75,174 17
1849	33,406,612 89	87,936 26
1850	34,935,885 74	93,540 21

This exhibits the remarkable fact that in four years our present system has brought the revenue up from $28,860 31, the amount of State tax collected in 1846 to $93,540 21, the amount assessed for the past year. It will be perceived also that the revenue for the years, 1847 and 1848, amounted to $145,600, that the revenue for the years 1849 and 1850 amount to $181,476, showing an increase of $35,876, equal to about 25 per cent.

If we assume the comparative increase of taxes for these periods of time (25 per cent,) to be the data for just estimate of the increase to be reckoned on for the next two years, we arrive at the result that the taxes for the years 1851 and 1852, will yield $226,835 00, instead of $182,000, as estimated by the Auditor.

But the committee believe that under the operation of the act passed at this session, which makes it the imperative duty of the sheriffs to swear every tax payer, to the correctness of the list of his property, that the gross amount of property subject to taxation will be considerably enlarged and as a consequence the taxes will be increased in the same proportion.

To what extent the increase may reach from this source the committee will not pretend to indicate with certainty, but to judge of the whole State by what they know of the particular region that they represent they can with great confidence assume that it will increase the revenue for the next two years fully $25,000 for each year.

The committee feel that they would be well warrented in making a larger estimate, but they prefer to err, if at all, on the side of safety. This sum added to $226,835 the amount estimated by the committee as the probable amount of revenue for the years 1851 and 1852, will make $266,835, to this ought to be added the balances due the State Treasury by the Internal Improvement ($1,872 36) and the balance in the treasury applicable to the redemption of Treasury Warrants, 1st October, 1850, $2,288 84, amounting to $4,161 20.

The committee discard the other items of receipts in the Auditor's tabular statement maked 'N.' amounting to $15,658 76, because they are but the nominal indebtedness of the State bank, they afford no legitimate aid to the treasury, and are unavailable for all practicable purposes. $4,161 added to 266,835 will make 370,995, as the gross receipts of revenue from all sources for the next two years.

The Auditor's estimates of expenditures for the two years ending 1st October, 1852, are	$193,561 58½
To this estimate the committee propose to add the extraordinary appropriations of this session arising out of the payment of the old controverted claims of Bettison and Jennings, the large appropriations to defray the rebuilding of the penitentiary, for the remuneration of Hammock, and to pay the large charges growing out of the Marion county disturbances, amounting to about,	29,000 00
Making	$222,561 58½

From this sum of $222,561 58½ ought to be subtracted 18,200, which the committee will proceed to explain.

The Auditor estimated the expenses on account of the Penitentiary at $20,000, but we have appropriated for that object to be expended for the next two years but 12,000. The Auditor estimates for the salaries of Bank officers $23,200, while we propose to abolish the whole system, and appropriated but 13,000. These two items will reduce the amount of all actual expenditures for the next two years, ordinary and extraordinary, to about $204,061 including an appropriation of $35,202 20 to repay monies borrowed by the State of the 500,000 acre Internal Improvement fund.

To meet these liabilities, according to the views of the committee, there will have accrued during the next two years from the present rates of ¼ of one per cent. $270,995 00, making a probable excess in the treasury 1st October, 1852, of $66,688 20.

If we reduce the ratio of taxation to 1-6 of one per cent. the total receipts would be from taxation $177,890, from other available sources $4,160 20, making 182,050 20, leaving a probable deficit in the treasury on the 1st October, 1852, of $22,010.

At a ratio of 1-5 of one per cent. the receipts would be $204,286, leaving a small excess in the treasury on the 1st October, 1852.

The committee therefore recommend the House bill No. 194, be amended by striking out 1-6 and inserting 1-5 of one per cent.

Which report was adopted.

On motion of Mr. Fletcher, the rules were dispensed with and the bill as amended was read a third time.

Mr. Blakemore called for the ayes and noes on the final passage of the bill which was sustained and the bill was passed.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Bradley, Carroll, Cauthron, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Farmer, Foreste, Fletcher, Harris, Imboden, Jackson, James, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Steward of Crawford, Stuart of Green, Sissel, Sevier, Sadler, Trimble, Tappan, Tebbetts, Tobey, Walker, Whittington, Woodward, Wills, Watson, and Yochum—57.

Mr. Trapnall voted in the negative—1.

So the bill was passed.

Mr. Cline offered the following

RESOLUTION:

Resolved, That the Auditor be and he is hereby requested to furnish to this House a list of the mileage drawn by each member at the present session.

Mr. Preston moved to amend by adding, "that the Attorney General of the State be required to furnish to this House forthwith his construction of the law, upon the subject of mileage to the members of the Legislature.

Mr. Patrick moved to lay both the resolution and amendment on the table indifinitely.

Mr. Whittington called for the ayes and noes, which was sustained and the roll called.

Those members voting in the affirmative, are

Messrs Atkins, Cauthron, Johnson, Morton and Patrick—5.

Those members who voted in the negative, are

Messrs Adams, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Bradley, Carroll, Chandler, Cline, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Ferguson, Foreste, Fletcher, Gilmer, Harris, Imboden, James, Johnson, Leslie, Lafferty, Mitchell, McIlroy, McRae, Murph, Moore, Nettles, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Stuart of Green, Sadler, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Walker, Whittington, Woodward, Wills, Watson and Yochum—57.

So the motion to reject was lost.

The resolutiou was then as amended, adopted.

On motion of Mr. Fletcher, House bill No. 400, to be entitled an act supplemental to an act to provide for reclaiming the swamp and overflowed lands, approved Jan. 6th, 1851, was taken up and the 1st amendment of the Senate thereto concurred in.

Mr. James moved a nonconcurrence in the 2nd amendment of the Senate and protested most earnestly against said amendment, which was to strike out the following section, to wit: sec. 2nd—That said commissioners shall set apart a portion of said lands the nearest and most contiguous to said water courses and their confluents sufficient in quantity and value to pay the labor and expenses necessary to the erection of such levees and dykes as may be required to reclaim the same respectively, and lands so set apart or the proceeds thereof when sold shall be applied to that purpose and no scrip issued to contractors for work performed elsewhere or for compensation for levees heretofore made in other districts shall be located on any of the lands so reserved until the completion of the work of reclamation within such districts.

Which motion did not prevail, and said amendment was concurred in.

Mr. James introduced a bill to be entitled an act to provide for the erection of a suitable monument to the memory of the late Archibald Yell and others, which was read a first time.

On motion of Mr. James the rules were dispensed with and the bill was read a second and third time and passed.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined, an act to adjust the title and provide for the sale of certain lands, of the grant of 500,000 acres of land and for other purposes.

Also an act further to regulate the sale of the 500,000 acres of land donated to the State of Arkansas.

Also an act to change the name of Martha Rosannah Weeks, &c.

Also an act to incorporate the town of Smithville.

Also an act to provide for the establishment of poor houses.

Also an act directing the secretary of State to distribute the acts and journals of this General Assembly, among the several counties, and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

Mr. Patrick from the committee on education to whom was referred House bill No. 242 to be entitled an act to donate forfeited lands in Independence county to Soulesbury College, reported the same back to the House favorably and recommend its passage.

On motion of Mr. Trimble the rules were dispensed with and the bill was read a third time.

Mr. Tebbetts called for the ayes and noes on the final passage of the bill which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Baker, Carroll, Ferguson, Fletcher, Hardin, Harris, Imboden, James, Mitchell, Murph, *M*ortont, Patrick, Rosson, Stuart of Green, Sissel, Trimble, Tappan, Trapnall, Witherspoon and Whittington—20.

Those members who voted in the negative, are

Messrs Armstrong, Ayers, Billingsley, Blakemore, Bradley, Cauthron, Chandler, Denton, Dodson, Dodd, Eaton, Emerson, Embry, Foreste, Gilmer, Johnson, Miller, McRae, Moore, Nettles, Preston, Pyburn, Sevier, Sadler, Tebbetts, Tobey, Walker, Wills, Watson and Yochum—34.

So said bill did not pass.

Mr. Patrick from the committee on education to whom was referred House bill 266 to be entitled an act for the relief of R. C. Byrd, and James Lawson, reported the same back to the House and recommended its passage.

Mr. Denton moved to reject the bill and called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Anderson, Ayers, Baker, Billingsly, Chandler, Cline, Denton, Dodson, Dodd, Foreste, Hardin, Jackson, Johnson, Leslie, Miller, Morton, Nettles, Rosson, Steward of Crawford, Sevier, Sadler, Trapnall, Tebbetts, Walker, and Yochum—26.

Those members who voted in the negative, are

Messrs Adams, Armstrong, Blakemore, Bradley, Brewton, Carroll, Cauthron, Eaton, Emerson, Embry, Ferguson, Fletcher, Gilmer, Harris, Imboden, Mitchell, McIlroy, McRae, Patrick, Preston, Pyburn, Stuart of Green, Tappan, Tobey, Witherspoon, Whittington, Wills, and Watson—31.

So the motion to reject did not prevail.

Mr. Carroll moved to suspend the rules and put the bill upon its third reading, which motion was lost.

Mr. Trapnall introduced a bill to be entitled an act to amend an act to change the forms of pleading in the circuit courts, approved Jan. 10th, 1851, which was read a first time.

On motion of Mr. Trapnall the rules were dispensed with and the bill was read a 2nd and 3d time and passed.

On motion of Mr. Tebbetts, House bill No. 64, to be entitled an act to amend the common school system in the State of Arkansas, was taken up and the Senate's amendments thereto concurred in.

Mr. Speaker laid before the House the following communication from the Attorney General.

Attorney General's Office,
Little Rock, Ark's,
Jan'y 10th, 1851.

Hon. T. B. Flournoy,
Speaker of the House of Representatives:

Sir:

In obedience to the resolution of the House of Representatives requiring me to furnish forthwith to your house, my construction of the law upon the subject of mileage to the members of the Legislature,

I have the honor ro respond that in my opinion, each member is entitled to three dollars for each twenty miles necessary travel to and from their respective residences in attending on the General Assembly.

By necessary travel, I understand the law to mean the route most usually and commonly traveled in going to the seat of Government and returning therefrom.

I have the honor to be,
Respectfully your ob't servant,
JOHN. J. CLENDENIN,
Attorney General.

Mr. Trapnall introduced a bill to be entitled an act to repeal the act putting the State bank into liquidation.

Which was read a first time.

Mr. Eaton moved to reject said bill and called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Anderson, Ayers, Blakemore, Brewton, Carroll, Chandler, Cline, Denton, Dodson, Eaton, Emerson, Foreste, Jackson, Johnson, Morton, Moore, Steward of Crawford, Sadler, Trimble, Tebbetts and Wills—21.

Those members who voted in the negative, are

Messrs Adams, Atkins, Armstrong, Baker, Billingsley, Bradley, Cauthron, Dodd, Embry, Ferguson, Fletcher, Gordon, Gilmer, Hardin, Harris, Imboden, Leslie, Mitchell, McIlroy, McRae, Murph, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Stuart of Green, Sevier, Tappan, Trapnall, Tobey, Walker, Witherspoon and Mr. Speaker—39.

So the motion to reject did not prevail.

Mr. Preston was called to the chair.

On motion of Mr. Patrick, the rules were dispensed with and the bill was read a 2nd and 3rd time.

Mr. Ayers called for the ayes and noes on the passage of the bill, which was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Armstrong, Baker, Billingsley, Bradley, Cauthron, Dodd, Embry, Ferguson, Fletcher, Gordon, Gilmer, Hart, Hardin, Harris, Imboden, Leslie, Mitchell, McIlroy, McRae, Murph, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Stuart of Green, Sevier, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Watson, Yochum and Mr. Speaker—39.

Those members who voted in the negative, are

Messrs Anderson, Ayers, Blakemore, Brewton, Carroll, Chandler, Cline, Denton, Dodson, Eaton, Emerson, Foreste, Jackson, Johnson, Miller, Morton, Moore, Steward of Crawford, Sadler, Trimble, Tebbetts, Walker and Wills—23.

The following message from the Senate, was received by the Secretary

Mr. Speaker—

I have the honor to present for your honor's signature, an act for the relief of John H. Hammock.

Also an act for to authorize Antoine Barraque, to dispose of certain lands.

Also an act to compensate the State Treasurer for receiving and disbursing the internal improvement fund.

Also an act to pay General Allen Wood and Lieut J M Cox, for military services.

Also an act to incorporate the Pine Bluff and Camden Turnpike company.

Also a resolution instructing our Senators and requesting our Representative in Congress to procure the establishment of a mail route from Pine Bluff to Chambersville.

The Senate insist on their amendment to House bill No. 180 to to be entitled an act to fix the time for the election of members of Congress, Judges of the circuit and probate courts and Prosecuting attorneys, and have raised a committee to confer with such committee as may be appointed on the part of the House. The committee consists of Messrs. Watkins, Clarke and Rector.

The Senate have adopted a resolution rescinding the resolution fixing to-morrow at 10 o'clock, to adjourn *sine die*, and fixing Monday, the 13th inst., at 9 o'clock, as the time for such adjournment.

Which is herewith transmitted for the concurrence of the House.

J. M. ROSS,
Sec'y of Senate.

On motion of Mr. Cline, Messrs. Trapnall, Tebbetts, Bradley, Watson, and Sevier, were appointed by the Speaker as a committee of the House as regards the disagreement of the two Houses on the amendment of the Senate to a bill of the House to be entitled an act concerning the election of members of Congress, Judges of the Circuit courts, &c.

Mr. Speaker laid before the House the following communication from the Auditor:

Auditor's Office, Little Rock, Arkansas,
10*th January*, 1851.

Hon. T. B. Flournoy, *Speaker*
of the House of Representatives:

Sir: In obedience to a resolution which passed your House this day in relation to mileage drawn by the members of the present General Assembly, I have the honor to make the following report—the number of miles drawn by each member being placed opposite to his name.

Respectfully, your ob't servant,
C. C. DANLEY, *Auditor of Arkansas.*

	Miles.
Mr. Adams,	100
" Atkins,	900
" Anderson,	440
" Armstrong,	266
" Ayres,	400
" Bailey,	220
" Baker,	820
" Bassham,	250
" Billingsley,	300
" Blakemore,	440
" Bradley,	
" Bruton,	240
" Carroll,	
" Caldwell,	240
" Cauthron,	370
" Chandler,	650
" Cline,	400
" Denton,	400
" Dodson,	350
" Dodd,	42
" Eaton,	150
" Emerson,	100
" Embry,	80
" Ferguson,	565
" Farmer,	270
" Forreste,	420
" Fletcher,	1,100
" Gordon,	110
" Gilmore,	240
" Greene,	376
" Hart,	220
" Hardin,	1,000
" Harris,	665
" Imboden,	1,000
" Jackson,	500
" James,	140
" Johnson,	400
" Kinsworthy,	280
Mr. Leslie,	250
" Lafferty,	780
" Miller,	345
" Mitchell,	980
" McIlroy,	320
" McRea,	300
" Murph,	300
" Morton,	404
" Moore,	120
" Nettles,	210
" Patrick,	260
" Preston,	120
" Pyburn,	100
" Rogers,	510
" Russell,	394
" Rosson,	220
" Singleton,	900
" Stewart of Crawford,	388
" Stewart of Greene,	820
" Sissell,	280
" Sevier,	370
" Simpson,	100
" Sadler,	222
" Trimble,	220
" Tappan,	490
" Trapnall,	
" Tebbetts,	440
" Tobey,	160
" Walker,	270
" Witherspoon,	850
" Whittington,	200
" Woodward,	250
" Wills,	50
" Watson,	300
" Wilson,	440
" Yocum,	360
" Speaker,	800

Messrs. Preston and Patrick stated that they had not yet drawn their mileage home.

On motion of Mr. Carroll Senate joint resolution rescinding House resolution to adjourn *sine die* on Saturday the 11th inst., and fixing Monday 13th inst., as the day for such adjournment,

Was taken up and read.

Mr. Sevier moved to lay the resolution on the table indefinitely, and called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Atkins, Chandler, Denton, Eaton, Foreste, Gilmer, Hardin, Harris, Imboden, Johnson, Miller, McRae, Nettles, Sevier, Sadler, Trimble and Walker—17.

Those members who voted in the negative, are

Messrs. Adams, Anderson, Armstrong, Ayres, Baker, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Cline, Dodd, Emerson, Embry, Ferguson, Fletcher, Gordon, Hart, Jackson, James, Leslie, Mitchell, McIlroy, Murph, Morton, Moore, Patrick, Preston, Pyburn, Russell, Rosson, Stewart of Crawford, Stewart of Green, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson, and Mr. Speaker—45.

So the motion to reject was lost.

Mr. Fletcher moved a concurrence in the resolution of the Senate.

Mr Sevier called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Ayres, Baker, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Cline, Dood, Embry, Ferguson, Fletcher, Gordon, Hart, Jackson, James, Leslie, Mitchell, McIlroy, Murph, Morton, Patrick, Preston, Pyburn, Russell, Rosson, Stewart of Crawford, Stuart of Green, Tappan, Trapnall, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson, Yochum, and Mr Speaker—40.

Those who voted in the negative, are

Messrs. Atkins, Anderson, Armstrong, Chandler, Eaton, Foreste, Hart, Harris, Imboden, Johnson, Miller, McRea, Moore, Nettles, Sissel, Sadler, Trimble, Tebbetts, and Walker—20.

So the resolution was concurred in.

On motion of Mr. Witherspoon the House took a recess till 3 o'clock, p. m.

3 o'clock, p. m., Jan'y 10, 1851.

The House convened.

Mr. James was called to the chair.

Mr Fletcher from the committee on public lands to whom was referred Senate bill 92 to be entitled an act to amend the laws in respect to the lands donated to the State, reported the same back to the House with sundry amendments, and recommended its passage.

Which report was adopted and the bill as amended was read a 3d time and passed.

On motion of Mr. Carroll, House bill 163 to be entitled an act to declare the road leading from Little Rock to Fort Smith, on the south side of the river, a public highway, was taken up and the Senate's amendment thereto was concurred in.

On motion of Mr Eaton House bill No. 261 to be entitled an act for the relief of R T Jennings, was taken up, read a 3d time and passed.

The proposed amendments (of the Senate) to the constitution, in regard to electing the Secretary of State, Auditor and Treasurer, by the qualified voters of the State, was taken up and read a second time.

The question was then put, shall the proposed amendments pass to a third reading, and the roll was called.

Those members who voted in the affirmative, are

Messrs. Anderson, Ayres, Baker, Carroll, Cauthron, Chandler, Denton, Eaton, Emerson, Ferguson, Foreste, Gordon, Gilmer, Hart, Harris, Jackson, James, Johnson, Miller, McIlroy, Nettles, Russell, Rosson, Stuart of Green, Sadler, Trimble, Tappan, Tebbetts, Witherspoon, Whittington, and Wills—31.

Those members who voted in the negative, are

Messrs. Adams, Armstrong, Billingsley, Blakemore, Bradley, Brewton, Cline, Dodd, Embry, Fletcher, Imboden, Lafferty, McRae, Murph, Morton, Moore, Patrick, Preston, Pyburn, Steward of Crawford, Sissel, Trapnall, Woodward, Watson, and Mr. Speaker—25.

A constitutional majority not voting in the affirmative the proposed amendments were rejected.

On motion of Mr Morton House bill to be entitled an act to incorporate the town of Fort Smith, was taken up, and the Senate's amendment was concurred in.

Senate bill No 152 to be entitled an act to transfer the jurisdiction of Bastardy cases, was taken up and read a 1st time.

On motion of Mr Cline the rules were dispensed with and the bill was read a 2d time.

Mr Murph moved to lay the bill upon the table.

Mr Sadler called for the ayes and noes, which call was sustained and the roll was called.

Those members who voted in the affirmative, are

Messrs. Adams, Ayres, Billingsley, Brewton, Carroll, Cauthron, Chandler, Denton, Dodd, Eaton, Embry, Ferguson, Foreste, Fletcher, Gordon, Gilmer, Hart, Hardin, Harris, Johnson, Lafferty, Mitchell, McIlroy, McRae, Murph, Moore, Nettles, Patrick, Pyburn, Russell, Rosson, Steward of Crawford, Steuart of Green, Sissel, Sevier, Sadler, Witherspoon, Watson, and Yochum—39.

Those members who voted in the negative, are

Messrs. Anderson, Armstrong, Baker, Blakemore, Bradley, Cline, Emerson, Jackson, James, Morton, Preston, Trimble, Tappan, Tebbetts, Whittington, Woodward, and Wills—17.

So the bill was rejected.

On motion of Mr. Sevier the Senates proposed amendment to the constitution in regard to the county of Lafayette, was taken up and read a second time.

The question was then put, shall the amendment pass to a third reading, and the roll was called.

Those members who voted in the affirmative, are

Messrs. Adams, Atkins, Armstrong, Bradley, Brewton, Carroll, Cauthron, Dodd, Eaton, Embry, Ferguson, Fletcher, Hart, Hardin, Harris, Imboden, Johnson, Lafferty, Miller, Mitchell, McRae, Morton, Moore, Nettles, Preston, Pyburnn, Russell, Steward of Crawford, Stuart of Green, Sevier, Sadler, Trimble, Tappan, Witherspoon, Whittington, Wills, Watson and Youcham—38.

Those members who voted in the negative, are

Messrs. Ayres, Billingsley, Blakemore, Chandler, Cline, Denton, Foreste, Gordon, Gilmer, Jackson, James, McIlroy, Rosson, Sissel, and Tebbetts—15.

A constitutional majority voting in favor of said amendment, it was passed to a third reading.

On motion of Mr. Mitchell, leave of absence was granted to Mr. Farmer.

On motion of Mr. Denton, leave of absence was granted to Mr. Dodson.

Mr. Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to provide for building a safe and durable wall around the penitentiary, proper workshops, keeper's house, and for the improvement of the penitentiary system.

Also an act supplemental to an act for the reclaiming the swamp and overflowed lands within this State, approved 6th January, 1851.

Also an act for paying the amount of a judgment to Joseph R. Bettison.

Also an act to grant James J. Barrens, of Van Buren county, and Page Hatchell of Searcy county, a charter to make a Turnpike road.

Also an act to grant a charter to Barton H Kinsworthy, to make a turnpike or plank road.

Also an act to grant a charter to G. W. Robertson and Blake Little, &c., and have instructed me to report the same correctly enrolled.

TAPPAN, Chairman.

Which report was adopted.

On motion of Mr Morton the Senate's amendment to House bill No. 229 to be entitled an act for the relief of Allen R Stone, was concurred in.

Senate bill No. 94 to be entitled an act to donate the forfeited lands in Hempstead county to the trustees of the Washington male and female seminary, was taken up and read a 1st time, and ordered to a second reading on to-morrow.

Senate bill No. 106 to be entitled an act to change the line between the counties of Conway and White, was taken up and read a first time.

Mr. Adams moved to dispense with the rules that the bill might be read a second time;

Which motion did not prevail.

On motion of Mr Fletcher Senate bill No. 59 to be entitled an act amendatory of the criminal law of this State concerning slaves, free negroes and mulattoes, was taken up and read a 1st time.

On motion of Mr Fletcher the rules were dispensed with and the bill read a second time and referred to the committee on the judiciary.

Senate bill No. 142 to be entitled an act to exempt Nicholas Johnson from so much of 159th chapter of the Revised Statutes of Arkansas, as relates to the sale of ardent spirits, was taken up and read a first time.

Mr Carroll moved to dispense with the rules that the bill might be read a second time, which did not prevail.

Senate bill No. 154 to be entitled an act to repeal so much of the 4th section of an act, approved January 10th, 1849, as requires the Secretary of State to take posssssion of the two rooms in the west wing of the State House, was taken up and read a 1st time.

On motion of Mr Carroll the rules were dispensed with and the bill read a 2d and 3d time and passed.

Senate bill No. 153 to be entitled an act to arrange the State of Arkansas into districts, for the election of Representatives in the Congress of the United States, was taken up and read a second time.

Mr. Eaton moved to lay the bill upon the table until to-morrow.

Which was lost.

Mr Patrick proposed to amend by striking "St. Francis, Crittenden and Mississippi counties out of the 1st district and attaching them to the 2d district."

Which was not adopted.

Mr Patrick then offered the following amendment: "take St. Francis county from the 1st and attach it to the 2d district."

Which was not adopted.

House bill No 245 to be entitled an act to change the name of Johanna Cooney to that of Johanna Clifford and to make her the heir of Charles Clifford, was taken up, and

On motion of *Mr* Trapnall was read a third time and passed.

Mr Trapnall made the following

REPORT:

Mr. Speaker:

The committee of conference on the part of the House on the bill providing for holding certain elections have had a meeting with the committee on the part of the Senate and have instructed me to report the Senate bill to the House with the following amendment and to recommend its passage:

"Strike all out of the 3d section after the word circuit in the 9th and 10th line to the word circuit in the 13th and 14th lines, and insert the following: and after the first Monday in February next circuit judges shall be elected in each judicial circuit at the first general election after the expiration of the commission of the pending judge.

TRAPNALL, Chairman
on the part of the House.

Which report was adopted.

On motion of Mr. Denton the House took a recess till 7 o'clock, P. M.

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7 o'clock, P. M. Jan'y 10th, 1851.

The House convened.

Mr Preston introduced a bill to be entitled an act to confer additional power on the county courts.

Which was read a first time.

On motion of *Mr* Preston the rules were dispensed with and the bill was read a 2d and 3d time and passed.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have concurred in the amendment of the House to Senate bill 156, to be entitled an act for the relief of the securities of John Hickey sheriff of Pope county.

The Senate have assented to House bill 262 to be entitled an act making appropriation for the years 1852 and 1851, and part of the year 1850, with sundry amendments thereto, in which the House is respectfully asked to concur.

The Senate have assented to House bill 261 to be entitled an act to pay R. T. Jennings.

Also to House bill No. 194, to be entitled an act to amend 2d section of chapter 139 under the head of revenue.

The Senate have concurred in the memorial of the House instructing our delegation in Congress to use their influence to have a law passed to pay French spoliation claims.

Also in a resolution of the House instructing our Senators and requesting our Representative, to procure the establishment of a military school in the South-western States.

All of which are herewith returned.

The Senate have passed bill 163 to be entitled an act granting Vincent Resterson the privilege to hawk and peddle without license.

Also bill No 48 to be entitled an act to repeal so much of section 5 of chapter 117 of the Digest, as provides for the infliction of lashes on white men, and to substitute other punishment, which are herewith transmitted to the House of Representatives.

The Senate have assented to House bill to be entitled an act to amend an act to change the form of pleading in the circuit ccurt.

Also to House bill to be entitled an act to provide for the erection of a suitable monument to the memory of the late Archibald Yell, with an amendment thereto in which the concurrence of the House is asked.

All of which are herewith returned.

JOHN M. ROSS.
Sec'y of Senate.

Mr Woodward offered the following:

Whereas, rather a stringent criticism has been published in the "Gazette and Democrat," relative to the action of the House of Representatives on motion to amend a bill by appending the mileage of each member to the acts passed at the present session; therefore,

Resolved, That this House have put upon the Journals the facts in relation to this matter, viz: Upon the 2d reading of a bill providing for the printing and distribution of the acts and Journals of the present General Assembly, a member proposed to amend the bill by appending the amount of mileage drawn by each member to the acts. The Speaker, considering the amendment as irrelevant to the subtance and meaning of the bill and as casting some reflections upon the members of this House decided it out of order as an amendment to the bill then under consideration, but at the same time notified the member offering the amendment, that he would entertain his proposition if he would present it as a separate and distinct measure. A member then appealed from the decision of the chair. The Speaker then put the question, "shall the chair be sustained?" which was decided by the House in the affirmative, after which the member proposing the amendment, declined taking further action in relation thereto.

Which was adopted.

On motion of *M*r James House bill to be entled an act to provide for the erection of a suitable monument to the memory of Archibald Yell and others, was taken up and the Senate's amendment thereto concurred in.

The following message from the Senate was received by the Secretary:

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have adopted the following joint resolutions, in which the concurrence of the House of Representatives is respectfully asked.

JOHN M. ROSS,
Secretary of the Senate.

REPORT OF THE JOINT COMMITTEE ON FEDERAL RELATIONS.

Mr. President: The joint committee, to whom was referred that part of the Governor's Message relating to Federal Acts and Policy, beg leave to report that they have examined the federal compact, by virtue of which the Federal Government received its existence from the several States in their sovereign capacity. They find the Federal Government rightfully possessed of many powers properly granted and plainly specified in the *Magna Charta* from which it receives its vitality. In the same chart are also to be found yrovisions limiting the prerogatives of the Federal Government to the grants specially made, and reserving all the mass of rights to the original creators of the Constitution.

It was seriously apprehended that the restrictions placed upon the joint commission, or federal government, would render it futile or importent; that it would gradually decay from neglect and indifference until, like the old confederations, it would lose caste, name and place; that the States, by virtue of the large amount of powers retained, would far outstride the Joint or Federal Commission, would win the smiles of courtiers, be wood and flattered by wealth and power, whilst the Federal Government would be neglected and forgotten. Jealously, however, that admirable body-guard of Freedom foresaw, at an early hour, in the Federal Compact, the germ of giant power and overshadowing influence. She pointed to certain general clauses in the grand chart, to the army, the navy, the vast pecuniary resources, then all in embryo, as insignia of royalty, and proclaimed her fears in sound which still linger in our ears.

In accordance with those predictions, we see that the Federal Government has increased in strength, and grown with each successive year, until it has absorbed all power, and clothed itself in colors more glowing than had ever been painted in fancy or dream.

Thus the Federal Government commencing its career as a joint commission on the part of thirteen sovereignties, has extended its influence, step by step, until its feet are placed upon the necks of the prostrate States, bestriding the Continent, and rearing a front more imposing than Imperial Rome, or that Mistress of the Seas, upon whose extended domain the sun never sets.

Your committee, in casting about them for the reasons which have operated this result, find that they are numerous and active.

The casual observer will see that *wealth* and power are the chief agents which have stripped the States of even a decent share of public respect, and clothed the joint commission with imperial purple.

In providing for the "common defence and general welfare," the federal commission has marshalled armies, constructed navies, and levied revenues, which have attracted the attention and combined the influence of "necessity," "avarice," and "ambition," in such admirable proportions as to make herself the chief object of regard, and constitute herself the hope and fear of every citizen, the awe of kingdoms, and the admiration of the world.

The States, bereft of power, down trodden and neglected, wrung, by direct taxation, from the reluctant citizen, meagre means to replenish pennyless treasurys and in moody silence and melancholy gloom do the drudgeries of government, whilst the joint commission lines oceans with revenue cutters, and studs the continent with custom-houses, and disburses liberal largess to flattering millions, and rejoices in the regalia of increasing strength and informal sway.

All these results have grown out of the exercise of powers more or less clearly granted by the Constitution to the Federal Government.

From the time the Federal Government went into operation, much difference of opinion has prevailed as to the extent of power conferred by the federal compact upon the government. Some have industriously taught the doctrine that a liberal construction should be given to every article, so as to clothe the federal government with ample power to perpetuate its own existence and meet any and all emergencies. This opinion has been favored by some general clauses in the Constitution, which were engrafted thereon the better to enable the federal government, to execute its specified powers, but with no intention of conferring original jurisdiction of matter not specified in the enumerated powers. Yet the friends of broad construction have viewed these general clauses as independent articles, intended to enlarge the field of federal legislation and confer general jurisdiction upon the federal government. And so much has this opinion gained ground of late years, that many persons are to be found, in all parts of the country, who being but slightly read in international and constitutional law, as applied to the Union of these States, boldly assume the ground that these States constitute, in any and all respects, but one nation; and that this federal government is, in any and all respects, a national government, possessd of plenary power; and that its action is to be measured only by its own "discretion," and its decrees obeyed by citizens and States alike without murmur or remedy, save by revolution alone. Others, more wise and patriotic, have contended, with great zeal and energy, against this obnoxious doctrine, and pointed to the constitution, and contemporaneous documents, the exposition of their founders; and have clearly illustrated the doctrine that the federal government was one of limited powers only; that all powers not enumerated in the constitution, or necessary to carry into effect powers specially enumerated, were reserved respectively to the States and to the people; that the general clauses were designed only to be subsidiary to the special grants, and conferred no power save to effectuate the enumerated grants of power; that this construction alone could be tolerated; the former would concentrate all power in the federal government, destroy the sovereignty of the States, and all the rights which are held by the citizen under the constitutions and laws of the respective States, and draw within the sphere of federal legislation the tenure, by virtue of which we hold life, liberty, and property. Such a consummation has been justly deprecated by our wisest and greatest statesmen, and should ever be held in utter detestation, especially in the southern States, whose rights to peculiar institutions would not survive the concentration of plenary power at Washington a single year.

It is, therefore, with no ordinary interest that your committee have traced the progress of the federal government, and noted its vigorous growth and increasing strength.

Jealous friends of liberty have, from time to time, noted its departure from its proper sphere, and its consequent encroachments upon the reserved rights of the States, and put forward their specifications in excellent essays and state papers, which have been preserved in the archives of the States in the forms of resolutions, protests, edicts and ordinances. Ever and anon these ebullitions of independence and patriotism have stayed the hand of aggression, and returned the federal government to its own proper sphere of action.

*R*ecently, however, much excitement has prevailed on account of the exercise of power by the general government, which was not provided for in the constitution. In the formation of the federal compact, no provision was made for the guidance of Congress in acquiring or disposing of foreign territory (excepting in case of the Canadas.) By virtue of the treaty of Guadeloupe Hidalgo, the United States acquired a large amount of territory from Mexico. The States all, upon the requisition of the federal government joined in all the measures which secured the cession of the territory. No rule being prescribed for the proper disposition of this territory by the constitution, it was reasonable to suppose that a rule would be adopted in accordance with equity and justice, by virtue of which the slave-holding States would be admitted to the enjoyment of a portion of the property which they had united in acquiring. The acquisition belonged to all the States as coparceners, and in as much as the institutions of some differed from others, some being slave-holding States and others not, it was impossible to admit the citizens of all the States to equal enjoyment of the acquired territory, except by allowing slavery to go into every part of the new territory. This rule would not exclude the citizens of non-slave holding States, but the exclusion of African slavery was tantamount to the exclusion of the South from all interest in the new territory. So much prejudice prevails through many of the States against African slavery, that there was no possibility of making such a rule as would allow slave holders to occupy in common with others, the whole of said territory. The only remainnig rule of action was dictated by the law of partnership. The UStates being a cluster of independent sovereignties leagued together for special purposes, the South believed herself entitled to pro rata distribution of the newly acquired territory; and it is believed that each individual State had an interest in said territory, of which she could not be deprived except by the consent of that individual State so interested. Yet the federal government has boldly assumed all power in the premises, and disposed of the territory in question in such manner as virtually deprived the slave-holding States of all participation in its enjoyment.

The States have thus been deprived of rights in the premises, not by their consent, as the law of partnership would allow. but against their solemn protest entered and known; all this has been done by the federal government without any warrant of the constitution and against the spirit of equity and justice.

Your committee are of opinion that under pretence of adjusting the boundary of Texas, in organizing the Territorial Governments of Utah and New Mexico, and in abolishing the slave trade in the District of Columbia, the federal government has manifested a spirit of aggression upon Southern rights against which it is believed this State should enter her solemn protest.

The extraordinary claim of power recently asserted at Washington, that the Federal Government had power to make war upon the State of Texas has been under the consideration of your committee, they are of opinion that the Federal Government is the *creature* of the States and has been entrusted with the command of armies and navies to defend the States, and not for the purpose of making war on them. It is believed that the Federal Government was not expected to maintain the Union by force of arms; for if it were, and should be guilty of palpable violations of the Constitution and should have power to compel obedience to its unconstitutional decrees, then would the "discretion of the federal government, and not the constitution, be the measure of its action.

Your committee have also noticed closely the action of the federal government on the subject of slavery; it cannot be disguised that there is a strong disposition in many of the northern States to usurp through the Congress of the United States, jurisdiction over this question. Your committee are in possession of resolutions passed by the State of Vermont, on the 12th November, 1849, industriously transmitted to the Governor of this State, which expressly assume the doctrine that the federal government has ample power to abolish slavery in all the States of this Union, save the original slaveholding States of the thirteen, who formed the federal compact. Thus it appears that this doctrine has obtained, not only with individuals, but also with States and Legislatures, and at no very distant day will be put forward in the councils of the United States; for it is now fast becoming a settled principle that Congress, by joint resolution, approved by the President, can do whatever they choose to do. And when we consider that the last slave-holding State is now admitted into the Union, and that in twenty years, twenty free-soil States will be admitted, we may well reflect upon this assertion of power on the part of Vermont, for the federal government, and see that the day is fast coming when the federal Congress will boldly assume jurisdiction of the institution of slavery, and by formal decrees, abolish it throughout the south. This idea is strengthened by the fact that Congress has recently abolished the slave trade in the District of Columbia.

Congress has power to Legislate for that District, and in her legislation is to be controlled alone by the constitution, the primary and organic law of the land. It will be recollected the United States acquired this country of Virginia and Maryland by treaty, good faith in the observance of which would require that they should not abolish either the slave trade or slavery in the District as long as Virginia and Maryland retain the same, especially as that district is in their midst, and was expected to retain its peculiar institutions as long as they existed in the States with whom the treaty was formed, by virtue of which the federal government acquire jurisdiction over the district: yet by unceasing effort, the free-soiler has succeeded in abolishing the slave trade in the District of Columbia, and thereby violated that good faith plighted in the treaty of cession—a thing which would never have been done if oaths could bind the conscience of fanaticism, of treaties and constitutions stay the hand of aggression.

Though the decree entered in this case affects but a small territory, yet it fixes a principle of vital importance to the south. It is the entering wedge, and next follows the abolition of slavery, not only in the district, but in all the navy yards, dock yards, forts and arsenals throughout the slave-holding States, for their power is as unquestionable and absolute in one case as in the other.

Should the south quietly bear all these, then next in the train of this dark-robed series of iniquitons, measures, comes from Vermont, that magic production of delirium: that the federal government has power to abolish slavery in all the States, save the thirteen original States which framed the federal constitution. Thus the original thirteen States, together with all the new free-soil States, would be combined against a poor and helpless minority of slave-holding States—these being crushed, then comes the rapid multiplication of free-soil States—even if this unprincipled usurpation of power never takes place, still if we believe what is daily avowed by those who are warring against our rights and property, the hour is not far in the future when by the admission of new States organized upon free-soil principles, the requisite majority will be obtained, and ample power will by amendment to the constitution, be given to Congress to abolish slavery throughout the States.

By the admission of California into the Union, the equilibrium so long maintained in the Senate of the United States, was destroyed, never to be restored, and now both branches of the Congress and the Executive of the federal government are all in the power of those who are enemies of the institution of domestic slavery.

And experience demonstrates, that they are much inclined to engage in the work dictated by their fanatical constituencies; it is necessary, therefore, that this State should look closely to its interest in connection with this subject and guard its rights with jealous care; dark clouds lower over our fortunes, and the future is veiled in impenetrable mystery, yet your committee indulge the fond hope, that a returning sense of justice, aided by Divine Providence, will enable the republic to regain its pristine purity.

1. *Resolved,* That the several States composing the United States of America are not united on the principle of unlimited submission to the general government; but that by compact under the style and title of a constitution for the United States, and of amendments

thereto, they constituted a general government for special purposes; delegated to that government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government, and that whensoever the general government assumes undelegated powers, its acts are unauthoratative, void and of no force. That ro this compact each State acceded as a State, and is an integral party. That this government, created by this compact, was not made the exclusive or final judge of the extent of powers delegated to itself; since that would have made its discretion, and not the constitution the measure of its powers; but that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions, as of the mode and measure of redress.

2. That by virtue of the treaty of Guadaloupe Hidalgo, the slave-holding States acquired such an interest in the Territory ceded to the United States by Mexico, as entitled our citizens to emigrate to said territory with their property of every kind.

3. 'I hat the United States being a cluster of independent sovereignies, leagued together for special purposes, this State had a right to expect such distribution to be made of their joint acquisitions as would allot a portion thereof to the slave-holding States, under such circumstances as would allow citizens of Arkansas to emigrate thereto with their slaves in safety.

4. That, in the irregular and premature admission of California into this Union, with a constitution framed by irresponsible persons, with a view to exclude the south therefrom, and destroy the equilibrium in the Senate of the United States, we recognize a spirit incompatible with brotherly love and affection, and at war with justice and equality.

5. That, in the dismemberment of Texas, the organization of territorial governments of Utah and New Mexico, and in the abolition of the slave-trade in the District of Columbia, we witness a spirit of aggression upon southern rights, against which it is our duty to protest most solemnly.

6. That the spirit of aggression upon southern rights, manifested in the last Congre s, the bold and reckless assumption of power by the federal government in the premises aforesaid, are alarming, dangerous and perilous to the slave-holding States.

7. that Congress has no constitutional right to legislate on the subject of slavery; and whenever this power is assumed, it is in direct violation of every principle of justice and equity.

8. That the domestic institution of African slavery as it now exists in the southern States, is worthy of extension and perpetuity, and affords a happy facility for the moral elevation of both the black and white races, and is fully sanctioned by divine law.

9. That, in appropriating $10,000,000 of the common treasure to the purchase of territory from Texas, the federal Congress used our own money to deprive us of our just rights as a slave-holding State,

inasmuch as it is now certain that no part of said territory will ever be admitted into this Union as a slave-holding State.

10. That we are free to express our opinion that, so far from the action of Congress fostering the peace, welfare, prosperity and perpetuity of the Union, it has and will excite the indignation and disrespect of every true southern heart, and thereby create a general dissatisfaction throughout the southern States.

11. That we have forborne long (to act as we certainly have a right to do) to throw off these oppressions so long heaped upon us, contrary to the letter and spirit of the constitution and to the laws of Nature and Nature's God: all of which teach us that man cannot always endure these wrongs.

12. That Arkansas cherishes an abiding affection for the Union, and a reverence for the letter and spirit of the constitution; but will never submit to aggression upon her rights, to dishonor or disgrace, except from necessity alone.

13. Arkansas will abide the fate of the majority of the Slave-holding States, and will seek their destiny.

GEO. C. EATON, C. C. F. R.
on part of the House.
N. B. BURROW, Chairman
on part of Senate.

House bill No. 262, to be entitled an act making certain appropriations for the years 1851 and 1852 and part of 1850, and for balances due, was taken up and the first and third amendments of the Senate thereto concurred in.

On motion of Mr. Tebbetts the House refused to concur in the 2nd amendment of the Senate.

The question arose upon concurrence in the 4th amendment of the Senate, which was to strike out $200, to pay the secretary of State for distributing the acts and journals of this General Assembly.

Mr. Carroll called for the ayes, and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Atkins, Anderson, Armstrong, Ayers, Baker, Billingsley, Blakemore, Brewton, Cauthron, Chandler, Cline, Denton, Dodd, Eaton, Emerson, Ferguson, Foreste, Gordon, Gilmer, Hart, Harris, Jackson, Johnson, Leslie, Lafferty, Miller, McIlroy, McRae, Nettles, Russell, Rosson, Steward of Crawford, Sadler, Tebbetts, Tobey, Whittington and Wills—37.

Those members who voted in the negative, are

Messrs Adams, Bradley, Carroll, Fletcher, James, Mitchell, Murph, Morton, Patrick, Preston, Pyburn, Stuart of Green, Sevier, Tappan, Trapnall, Witherspoon, Woodward, Watson and Mr. Speaker—19.

So the amendment of the Senate was concurred in.

On motion of Mr. Fletcher, the House concurred in 5th and 6th amendments.

The House refused to concur in 7th, 8th and 11th amendments of the Senate.

On motion the House concurred in 9th, 10th, 12th and 13th amendments of the Senate.

The question was then put 'will the House concur in the Senates 14th amendment,' which was appropriating $12,000 to pay contractor for work in and about the Penitentiary under an act passed at this session of the General Assembly entitled an act to provide for building a safe and durable wall around the Penitentiary, to build proper work shops, keepers house, and for the Improvement of the Penitentiary system.

*M*r. Eaton called for the ayes and noes, which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Adams, Atkins, Anderson, Armstrong, Billingsley, Blakemore, Bradley, Brewton, Carroll, Cauthron, Cline Denton, Dodd Emerson, Embry, Ferguson, Gordon, Hart, Hardin, Harris, James, Miller, McRae, Morton, Nettles, Patrick, Preston, Pyburn, Russell, Rosson, Steward of Crawford, Stuart of Green, Sissel, Trimble, Tappan, Trapnall, Tebbetts, Tobey, Witherspoon, Whittington, Woodward, Wills, Watson and Mr. Speaker—44.

Those members voting in the negative, are

Messrs Ayers, Chandler, Eaton, Foreste, Fletcher, Gilmer, Jackson, Johnson, Leslie, Lafferty, McIlroy, Murph, Sevier, and Sadler —14.

So the house concurred in the amendment.

The following message from the Senate was received by the Secetary.

Mr. Speaker:

I am instructed to inform your honorable body, that the Senate have receded from all the amendments refused to be concurred in by the house, except the 7th and 8th, and have adopted a resolution, raising a committee of conferrence, on the part of the Senate to confer with such committee as may be appointed by the House upon said 7th and 8th amendments.

The committee on the part of the Senate, are Messrs Huey, Rector, Mitchell, Watkins and Burrow.

JOHN M. ROSS,
Secretary of Senate.

Mr. Tebbetts moved that the House concur in the resolution of the Senate appointing a committee of conferrence on the subject of the disagreement between the two Houses—which motion prevailed, whereupon the Speaker appointed Messrs Trapnall, Tebbetts, Bradley, Eaton and Fletcher, on the part of the House of Representatives.

Mr Trapnall made the following

REPORT:

Mr. Speaker:

The joint committee appointed to confer on the Senate's amendments No. 7 and 8, to House bill to be entitled an act to make certain appropriations for the years 1851 and 1852 and for part of the year 1850, and for balances due from the State, have had the same under consideration and have instructed us to report back to the House the following substitute for amendment No. 7, to wit: strike out $150 and insert $100, and for amendment No. 8—strike out 500 and insert 250, and have instructed me to recommend their adoption.

HUEY, Chairman
on part of Senate.
TRAPNALL, Ch'm
on part of House.

Which report was adopted.

The following message was received from the Senate, by the Secretary.

Mr. Speaker—

I am instructed to inform your honorable body, that the Senate have adopted the following joint resolution:

Resolved, That the two Houses of the General Assembly, meet in the Hall of the House of Representatives on Saturday 11th inst. at 10 o'clock to elect a Financial Receiver of the State Bank.

Which is herewith transmitted for the concurrence of the House of Representatives.

JOHN M. ROSS,
Secretary of the Senate.

On motion of Mr. Trapnall the House adjourned.

T. B. FLOURNOY,
Speaker H. of Reps.

SATURDAY, January 11, 1851.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Lee, chaplain.

The reading of the Journal was dispensed with.

Mr. Bradley introduced a bill to be entitled an act to authorize the Treasurer to use a part of the Internal Improvement fund.

Which was read a first time.

Mr. Miller moved to reject said bill, which motion was lost.

On motion of Mr. Patrick the rules were suspended and the bill read a 2nd and 3rd time, and the question arose on the final passage.

Mr. Whittington called for the ayes and noes, which call was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs Billingsley, Bradley, Carroll, Eaton, Embry, James, Lafferty, McRea, Murph, Patrick, Pyburn, Sissel, Trapnall, and Morton—14.

Those members who voted in the negative, are

Messrs Adams, Anderson, Armstrong, Ayers, Baker, Blakemore, Cauthron, Chandler, Cline, Denton, Dodd, Emerson, Ferguson, Foreste, Fletcher, Gilmer, Hart, Harris, Imboden, Jackson, Johnson, Leslie, Miller, McIlroy, Nettles, Preston, Rosson, Trimble, Tappan, Tebbetts, Walker, Whittington, Yochum, and Mr. Speaker—34.

So the bill was rejected.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your hon. body that the Senate have assented to the House bill No. 176, to be entitled an act to confer additional jurisdiction on county courts.

Also House bill No. 247, to be entitled an act for ascertaining and receiving the assetts of the Real Estate Bank of the State of Arkansas, with sundry amendments thereto, to which the concurrence of the House is respectfully asked.

The Senate have concurred in the memorial of the House to Congress, praying a donation of land to actual settlers.

Also in the memorial of the House asking an appropriation of $150,000 for clearing out the Red river raft.

All of which are herewith returned.

The Senate refuse to assent to House bill No. 272, entitled an act to repeal the act putting the State Bank in liquidation.

JOHN M. ROSS.
Sec'y of Senate.

Mr. Foreste was called to the chair.

The following message was received from the Senate:

Mr. Speaker:
I am instructed to inform your honorable body, that the Senate refuse to concur in the resolution of the House No. 93 and 96, but have adopted a substitute therefor, which is herewith transmitted for your concurrence.

JOHN M. ROSS,
Secretary of the Senate.

Mr. Flournoy introduced the following

RESOLUTION:

Resolved, That his excellency the Governor be informed that it is probable there will be no question in the House after 12 o'clock this day, and that it would be advisable to have all bills submitted for his approval returned by that time.

Which was adopted.

Mr. Trapnall introduced a bill entitled an act to close the affairs of the State Bank.

Which was read a 1st time.

On motion of Mr. Trapnall the rules were dispensed with, and the bill read a 2d and 3d time.

Mr Tebbetts called for the ayes and noes, which was sustained, and the roll called.

Those who voted in the affirmative, are

Messrs. Adams, Armstrong, Billingsley, Bradley, Carroll, Cauthron, Dodd, Embry, Ferguson, Fletcher, Gilmer, Hart, Hardin, Harris, Imboden, Leslie, Lafferty, McIlroy, McRea, Nettles, Preston, Pyburn, Rosson, Stuart of Green, Trapnall, Whittington, Woodward, Watson, Yocham, and Mr. Speaker—30.

Those who voted in the negative, are

Messrs. Anderson, Ayres, Blakemore, Bruton, Chandler, Cline, Denton, Eaton, Emerson, Foreste, Jackson, James, Johnson, Steward of Crawford, Sissell, Sevier, Trimble, Tebbetts, Tobey, Walker, and Wills—21.

So said bill was passed.

Mr Tebbetts offered a resolution, to-wit:

Resolved by the General Assembly of the State of Arksnsas, That the resolution passed by this General Assembly to adjourn both

Houses *sine die*, on Monday next, at 9 o'clock be, and the same is hereby rescinded; and that both Houses adjourn *sine die* on this day, Saturday 11th January, 1851, at 12 o'clock, meridian.

Which was adopted.

The following message was received from the Senate:

Mr. Speaker—

I am instructed to inform your honorable body that the Senate refuse to assent to House bill No. 280, entitled an act to close the affairs of the State Bank.

I have the honor to present for your honor's signature, an act to carry out the provisions of the act establishing the county of Yell.

Also an act for the relief of the securities of John Hickey, sheriff of Pope county.

Also an act to amend the laws in respect to the lands donated to the State.

Also an act to provide for holding an election of one Representative to the Congress of the United States, and to change the time of holding other elections.

Also an act to repeal so much of the 4th section of an act approved January 10th, 1849, as requires the Secretary of State to take possession of two roome in the west wing of the State House.

JOHN M. ROSS,
Secretary of the Senate.

Mr Trapnall offered the following:

Resolved, That a committee of conference be appointed on the part of the House to confer with such committee as may be appointed on the part of the Senate, to take into consideration a bill to close the affairs of the State Bank, and that the Senate be requested to concur herein.

Which was adopted.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill entitled an act to postpone the operation of an act to change the mode of pleading in the circuit courts.

Also an act to pay Bank officers.

Which are herewith transmitted for your assent.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. M. L. Bell,

Private Secretary of the Governor, appeared in the Hall, and delivered the following message from the Governor:

Mr. Speaker:

I am instructed to report to your honorable body that the Governor has approved and signed an act further to regulate the sale of 500,000 acres of land donated to the State of Arkansas.

Also an act to adjust the title and to provide for the sale of certain lands, of the 500,000 acres contracted for by persons who have proved insolvent, or left the State without making any payment for said lands, and for other purposes.

Also an act to incorporate the town of Smithville, in Lawrence county.

Also an act to change the name of Martha Rosannah Weeks, to the name of Martha Rosannah Cannon, and to constitute her a legal heir to the estate of Richardson W Cannon.

A'so an act to provide for the establishment of poor houses.

Also an act directing the Secretary of State to distribute the acts and Journals of this General Assembly among the several counties.

Also an act supplementary to an act to provide for reclaiming the swamp and overflowed lands within this State, approved January 6, 1851.

Also an act to grant to James J. Barrens of Van Buren county, and Page Hatchell, of Searcy county, a charter to make a turnpike road.

Also an act more effectually to enforce the collection of the revenue of this State.

Also an act for paying the amount of a judgment to Joseph R. Bettison.

Also an act to grant a charter to Benton H. Kinsworthy, for the purpose of making a turnpike or plank road through the walnut bayou bottom, and to bridge or keep a ferry on said walnut bayou.

Also an act to grant a charter to George W Robertson, and Blake Little, for the purpose of erecting and building toll bridges on the Batesville road across Languille river, Brushy Lake, Forked Slough and Bayou de Vue, in Poinsett county, Arkansas.

Also an act to provide for building a safe and durable wall around the penitentiary, proper workshops, keepers house, and for the improve of the penitentiary system.

M. L. BELL,
Private Secretary.

The following message was received from the Governor by his Private Secretary, which was ordered to be spread upon the Journals, to wit:

To the Speaker of the House of Representatives:

An act to change the mode of pleading in the circuit courts, passed by the present General Assembly, has been presented for my approval. I have patiently examined its provisions, with an anxious desire, if possible to so reconcile them with the true interests of the country, as to give it my approval. The more attention I have given the subject, and the closer I have scrutinized its provisions, the more inevitably does it appear to my mind, that interminable confusion and expensive legislation are consequent upon its passage.

Without contrasting the system of pleading sought to be engrafted upon the laws of this State, with the one which it is desired to displace by it, I will avail myself of the extremely limited time allotted me to point out one or two of the objections which have led my mind to its present conclusion.

The first three lines declares "that all the forms of pleadings now in use in civil cases in the circuit courts of this State, inconsistent with the provisions of this act, are hereby repealed." Thus in a moment and in one sentence leveling to the dust and dooming to destruction a system, which has been known to our laws more centuries, than it has taken days to mature, frame and enact into a law, its substitute. A system is thus hastily abolished and driven from our courts of justice, which has stood the test of ages and challenged the admiration of the greatest minds that have ever adorned the legal profession—all this has been done, too, without discussion or investigation on the part of those by whose consent it has been accomplished; this I deem, if not dangerous, is at least hasty and inconsiderate legislation.

Another question here presents itself, as to how far this law may operate to blend both common law and Chancery proceedings in one common court—thus, also, destroying the well settled rules of the Chancery courts. If the provisions of this bill extended only to the mere forms to be used, I should deem it of but little importance, because, whenever an intelligent lawyer wished to present his case before the court in the most intelligible manner possible, he would use the form that have been in use for centuries, and have been reduced to a science by the most logical minds that have ever lived: every sentence and every word having received a legal signification by the decisions of our highest courts, so that when a plea is filed, it is known what is intended to be said in a legal sense.

The forms now in use are the only ones we will be enabled for the next twenty years to use, in order that a man of common understanding may know what is meant by them.

Then, to avoid confusion, preserve the Chancery and common law, seperate, and retain those forms which all the laws upon evidence have been framed to suit—to preserve our whole civil code from repeal, and secure the possibility of a trial to litigants, the common law forms of pleading, at this time, should not be abolished. How far this law will effect cases now pending, I am at a loss to say, should it be construed to embrace them within its provisions inevitable confusion will be the consequence. From the language of the bill, it would appear that it is only intended to apply to the circuit courts, this cannot be from the very nature of things—the Supreme court must be governed and controlled by it, yet there are no rules laid down for its government.

Again, all the decisions of the common law courts upon pleading are rendered useless, and as a matter of course we must slowly and steadily set about building up another class of decisions. To do this, every possible question will have to be renewed and settled by the decisions of our highest courts, thus accumulating upon our Supreme court docket, which is now so lengthy that the end is beyond the vision of the court, a multitude of intricate and perplexing cases.

Again, it is provided that the only pleading on the part of the defendant shall be either a demurrer or answer, and that demurrers may be interposed for the following causes, when they appear upon the face of the complaints: That the plaintiff has no legal capacity to sue, or that there is another action pending for the same cause, between the same parties, and other like causes. Now, I ask, is there any plaintiff who would be so simple as to stultify himself by avowing these facts, if they did exist. Then the right to demur is virtually destroyed, and every thing must be settled by the jury.

It is provided that when any pleading is verified by affidavit, all subsequent pleadings, except demurrers, shall be verified, also. What importance is to be attached to the affidavits, is not made known. If they are to be taken as evidence in favor of the party making them, then, indeed, has a radical change been engrafted upon the law of evidence, and I would recommend the repeal of the law punishing the crime of perjury—if they are not to be taken as evidence, where the necessity of causing the parties to demur at all.

In the 9th section it is enacted that the plaintiff may unite several causes of action in the same complaint, when they arise out of contracts either express or implied, &c. Under this provision the following causes may be united in one complaint, and the defendant called upon to answer them all at once—and all of them may be required to be decided at one time by one jury, viz: Covenants on bonds with conditions, warranty of deeds, debt on money bonds, promissory notes, open accounts, and as many other express contracts, and twice the number of contracts of an implied nature, and I assert without extravagance that a case might arise, wherein fifty different and distinct issues might present themselves, all requiring a separate finding by the jury.

Will any man pretend that in any case like this, that any twelve men on earth can agree upon one tenth part of these controverted questions, much less the whole fifty—I hazard the assertion that in nine cases out of ten, where different causes of action are united, a verdict never can be obtained. Moreover, it is destroying that principle of pleading which has been pronounced the perfection of the whole system, and instead of presenting one simple issue to be tried by the jury, you provide for any number and require an impossibility at their hands, that they all shall agree upon their finding. Thus you may by the passage of this act exemplify the glorious uncertainty of the law in its strongest light. In the last section it is provided that the process for bringing a party into court shall be by summons, which shall be tested, issued and made returnable in the manner now prescribed by law. This is the only civil process known to the law.

When this bill shall have passed, what has become of writs of attachment, ne exeate, &c?

I have hastily glanced at the provisions of this bill, and pointed out some of the objections which have presented themselves to my mind, I have no idolatrous veneration for old and antiquated forms, proceedings or rules, simply because they are old and venerable with age; but surely when we find laws in force which have worked well for ages, and after the most mature and rigid investigation have received the unqualified approbation of the greatest minds that ever adorned the legal profession. We should hesitate before we apply the hand of destruction, unless we adopt the course which has controlled other States which have taken this step, appoint a commissioner learned in the law, whose duty it shall be to renovate our whole civil code, and adopt forms of pleadings to which the rules of evidence now known to the law, will apply, as was the case in New York. I would recommend as a matter of safety, that the passage of this bill be postponed two years, and if at the next session the people wish it adopted, and will take the precaution suggested above—as an individual I am willing to try the experiment.

Taking this view of the provisions of this bill, I have deemed it my duty to withhold my approval.

JOHN SELDEN ROANE.

Executive Office,
January 11, 1851.

Senate bill No. 148, an act to amend an act to facilitate the liquidation of the Bank of Arkansas, was taken up and read a second time.

Mr Tobey moved to amend the last section by striking out $2000 and inserting $1000, which motion prevailed.

Mr Trapnall offered the following amendment: strike out 3d, and insert that no note due said Bank shall be hereafter received, and all notes not paid in six months after the passage of this act, or after they fall due shall be placed in the hands of the Attorneys for suit and collection.

Which was adopted

Mr Trapnall proposed to amend as follows: strike out 5th and 6th sections, and insert the Governor is hereby authorized to employ an attorney of high character and ability to prosecute and defend all suits in which the bank is a party, and attend to all the interests of the bank, examine the conduct and accounts of all the officers of the bank, and bring suit for all breaches of duty by them, and for all penalties, and prosecute such suits with the utmost rigor and without delay, and shall receive the sum of $1500 per year for his services, and the sum of $5,000 is hereby appropriated to pay salary of Receiver and salary of such Attorney; said Attorney shall give bond with responsible securities in the penalty of $30,000, conditioned for the faithful performance of his duty.

Which was not adopted.

Mr Sissell moved to amend as follows: amend by saying that no member of the present General Assembly shall be eligible to the office of bank attorney.

Which was not adopted.

On motion of Mr Foreste, the rules were suspended and the bill read a third time and passed.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have passed a bill entitled an act to pay bank officers.

Also an act to postpone the operation of a bill entitled an act to change the mode of pleading in the circuit court.

Which are herewith transmitted for the assent of the House.

The Senate have passed House bill No. 234, entitled an act to repeal the 7th section of the 104th chahter with sundry amendments thereto in which your honorable body is respectfully asked to concur.

Also House bill No. 254, entitled an act to authorize the land agent to sell certain lands.

The Senate refuse to concur in House amendments to Senate bill No. 148, to be entitled an act to amend an act to facilitate the liquidation of the State Bank of Arkansas.

And have appointed a committee of conferrence to confer with such committee as may be appointed on the part of the House on the disagreement of the two Houses.

The committee on the part of the Senate, are

Messrs. Chism, Byers, Mitchell, Watkins and Rector.

JOHN M. ROSS
Sec'y of Senate.

On motion of Mr. Tebbetts the chair appointed Messrs. Tebbetts, Trapnall, Eaton, Fletcher, Watson, Bradley, and Tappan, as the committee on the part of the House, to confer with the committee on the part of the Senate on the disagreement of the two Houses.

Mr. Tebbetts made the following

REPORT:

Mr. Speaker:

The joint committee appointed to confer upon the amendments of the House to Senate bill to be entitled an act to amend an act to facilitate the liquidation of the State Bank of Arkansas, have had the same under consideration, and have instructed us to report that said committee have agreed to strike out the first amendment of the House, and to adopt the 2d amendment of the House, and to offer the following amendments to the substitute for the House amendment to the 8th section, strike out '2000' and insert 1250.

All of which is respectfully submitted.

CHISM, Chairman
on the part of the Senate.
TEBBETTS,
on the part of the House of Reps.

On motion of Mr. Tebbetts said report was adopted.

Senate's proposed amendment to the constitution in regard to Lafayette county, was taken up and the roll called on the third reading.

Those members who voted in the affirmative, are

Messrs. Adams, Armstrong, Billingsley, Bradley, Bruton, Carroll, Cauthron, Dodd, Eaton, Emerson, Embry, Ferguson, Fletcher, Hart, Hardin, Harris, Johnson, Leslie, Lafferty, Mitchell, McRae, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Russell, Steward, of Crawford, Sissell, Sevier, Sadler, Trimble, Tappan, Tobey, Whittington, Woodward, Wills, Watson, Yochum, and Mr. Speaker—42.

Those members who voted in the negative, are

Messrs. Anderson, Ayres, Blakemore, Chandler, Cline, Denton, Foreste, Gilmer, Jackson, James, McIlroy, Rosson, Trapnall, Tebbetts, and Walker—15.

A constitutional majority voting in the affirmative, the amendment was adopted.

Mr. Embry introduced the following

RESOLUTION:

Resolved, by the General Assembly of the State of Arkansas, That the Page of the House of Representatives shall receive the sum of $3 00 per day for his services.

Which was read a 1st time.

On motion of Mr. Embry the rules were suspended and the resolution was read a 2d and 3d time and passed.

Mr. Denton introduced the following Joint

RESOLUTION:

Resolved, That the two Houses of the General Assembly will meet in the Hall of the House of Representatives at 12 o'clock this day, to elect a Financial Receiver of the State bank.

Which was adopted.

House bill No. 234, to be entitled an act to repeal the 7th section of chapter 104 of the Digest of Arkansas, was taken up and the Senate's amendment thereto concurred in.

Senate bill No. 151, to be entitled an act to provide for the sale of forfeited lands and for other purposes, was taken up and read a first time.

On motion of Mr Carroll the rules were suspended and the bill read a 2d and 3d time and passed.

The following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have adopted the report of the joint committee of conference on the disagreement of the two Houses on House amendments to Senate's bill No. 148, to be entitled an act to amend an act to facilitate the liquidation of the bank of the State of Arkansas.

The Senate have concurred in House joint resolution giving the Page $3 00 per day, with an amendment thereto, in which the concurrence of the House of Representatives is respectfully asked.

JOHN M. ROSS,
Sec'y of the Senate.

Mr. Sevier offered the following

RESOLUTION:

Resolved, That the cordial thanks of the House be tendered to the Hon. Thompson B. Flournoy, for the dignity, impartiality and ability with which he has discharged the duties of the Chair.

Which was adopted unanimously.

Mr. Tobey offered the following

RESOLUTION:

Resolved, That we tender our sincere thanks to our respected and estimable Chaplain, Rev. Mr. Lee.

Which was unanimously adopted.

Mr. Trapnall offered the following

RESOLUTION:

Resolved, That the thanks of the House be tendered to B. T. Duval Principal, and James F. Fagan Assistant Clerks, and to C. H. Adamson Enrolling Clerk, for the faithful manner in which they have discharged their duties.

Which was adopted.

Mr. Leslie offered the following

RESOLUTION:

Resolved, That the thanks of this House is due the Editors of the Banner for their liberality in furnishing each member with a copy of their paper during the session free of charge.

Which was unanimously adopted.

The following message was received from the Governor:

Mr. Speaker,

I am instructed to inform your honorable body that the Governor has approved and signed an act to incorporate the city of Fort Smith.

Also an act for the relief of Allen R. Stone of Crawford county.

Also an act to pay Richard T. Jennings.

Also an act to provide for the erection of a suitable monument to the memory of the late Archibald Yell and others.

Also an act to declare the road leading from Little Rock to Fort Smith on the south side of the Arkansas river a public highway.

Also an act to amend the common school system in the State of Arkansas.

Also a resolution instructing our delegation in Congress to advocate the passage of a Military School similar to the one at West Point at some suitable place in the South Western States.

Also a resolution instructing our delegation in Congress to pay the claims of sundry citizens against the Government.

Also an act to amend the second section of chap. 139, of the Digest of the Statutes of this State, under the head of revenue.

Also an act making appropriations for the years 1851, 1852, and part of the year 1850, and for balences due the State.

M. L. BELL,
Private Sec'y.

Mr. Eaton moved to take up Senate joint resolutions on Federal Relations.

Mr. Mills called for the ayes and noes which was sustained and the roll called.

Those members who voted in the affirmative, are

Messrs. Bradley, Brewton, Carroll, Cauthron, Eaton, Emerson, Ferguson, Fletcher, Hart, Harris, James, Leslie, Lafferty, Russell, Steward of Crawford, Stuart of Green, Sissel, Sevier, Trimble, Tobey, Whittington, Wills and Watson—23.

Those members who voted in the negative, are

Messrs. Armstrong, Ayers, Billingsly, Blakemore, Chandler, Cline, Denton, Dodd, Embry, Foreste, Gilmer, Jackson, Johnson, Mitchell, McIlroy, Murph, Morton, Moore, Nettles, Patrick, Preston, Pyburn, Rosson, Trapnall, Tebbetts, Walker, Woodward and Mr. Speaker—39.

So the House refused to take up said resolutions.

On motion of Mr. Trapnall the report of the standing committee on Banks, was taken up and adopted.

On motion of Mr. Watson the House took a recess to 2 o'clock.

2 O'CLOCK, P. M.

House convened.

Mr Tappan made the following

REPORT:

Mr. Speaker:

The committee on enrollments have examined an act to change the name of Johanna Cooney to that of Johanna Clifford, &c.

Also an act to amend chapter 104, of the Statutes of the State of Arkansas.

Also memorial asking Congress to make a donation of 160 acres to each head of a family and each unmarried man over the age of 21 years, &c.

Also an act to confer additional jurisdiction on the county courts.

Also an act authorizing the Land Agent to sell certain lands.

Also a resolution allowing the Page $3 per day, and have instructed me to report the same correctly enrolled.

TAPPAN, Ch'n.

Which was adopted.

Mr. Tebbetts offered the following

RESOLTION:

Resolved, That this General Assembly do adjourn sine die on this day at half after 3 o'clock P. M. and that the Senate be requested to concur herein.

Which was adopted.

The following communication was received from the Governer:

Mr Speaker:

I am instructed to report to your honorable body that the Governor has approved and signed an act authorizing the Land Agent to sell certain lands.

Also a memorial asking Congress to appropriate $150,000 for the removal of the raft in Red River.

Also an act to amend chapter 104 of the Digest of the Statutes.

Also an act to confer additional powers upon the county courts of this State.

Also a memorial to Congress to make donation of land to actual settlers.

Also an act to change the name of Johanna Cooney to that of Johanna Clifford, and to make her one of the heirs of Charles Clifford.

M. L. BELL,
Private Secretary.

The following message was received fromthe Senate.

Mr. Speaker,
I am instructed to inform your honorable body that the Senate have concurred in joint resolution of the House fixing half after 3 o'clock P. M. of this day for both Houses to adjourn *sine die*, with the following amendment,

Strike out 3 and insert 6 o'clock, P. M., in which the concurrence of the House is respectfully asked.

JOHN M. ROSS,
Sec'y of Senate.

Mr. Tebbetts moved a concurrence in Senate's amendment.

Mr. Sevier called for the ayes and noes.

Mr. Carroll offered the following

RESOLUTION:

Resolved, That the Governor be informed that both Houses of the General Assembly cannot agree upon a time of adjournment, and if His Excellency has no further communication to send to this General Assembly he be requested to adjourn the same *sine die*.

Which was adopted.

The following message was received from the Governor by his Private Secretary:

EXECUTIVE OFFICE,
Little Rock, Ark's,
Jan'y 11*th*, 1851.

Hon. T. B. FLOURNOY,
Speaker of the House of Representatives:

In response to a resolution passed by the House over which you have the honor to preside, requesting the Governor to adjourn the legislature in case he has no further communication for the General Assembly.

I beg leave most respectfully to state that I am informed that the present General Assembly have elected no officers to take charge of ann manage the affairs of the State Bank, and if such be the case, I am apprehensive that great confusion must, of necessity, grow out of this apparent oversight or neglect of the General Assembly.

I would, therefore, urge the necessaty of selecting the necessary officers to manage and conduct this institution.

I am, with respect,
Your ob't serv't,
JOHN SELDEN ROANE.

On motion of Mr. Walker the House took a recess until half past 6 o'clock, P. M.

6½ O'CLOCK, P. M.,
Jan. 11, 1851.

The House convened.

On motion of Mr. Fletcher the roll was called and the following members were preset and answered.

Messrs. Armstron, Ayers, Billingsly, Bradley, Carroll, Cauthron, Eaton, Emerson, Embry, Foreste, Fletcher, Gilmer, Hart, James, Leslie, McIlroy, McRae, Moore, Preston, Pyburn, Rosson, Sevier, Tappan, Trapnall, Tebbetts, Walker, Whittington, Woodward Wills, Watson and Mr. Speaker—31.

There was not a quorum present.

On motion of Mr. Sevier the House adjourned until Monday half past 8 o'cleck.

MONDAY, Jan. 13th, 1850.

House convened.

The Journal of Saturday was read and approved.

The following message was received from the Senate:

Mr. Speaker,

I am instructed to inform your honorable body that the Senate have edopted the following

RESOLUTION:

Resoved, That the two Houses of the General Assembly go into the election of a Financial Receiver of the Bank of the State of Arkansas, in the Hall of the House of Representatives forthwith, and that the House of Representatives be requested to concur herein.

JOHN M. ROSS,
Sec'y of the Senate.

Rhe following message was received from the Senate:

Mr. Speaker:

I am instructed to inform your honorable body that the Senate have adopted the following

RESOLUTION:

Resolved, That a committee of thrae be appointed to act with such committee as may be appointed by the House of Representatives to inform His Excellency, the Governor, that the General Assembly is ready *sine die* on Monday morning at 9 o'clock A. M., which is herewith transmitted for the concurrence of the House of Representatives.

The committee appointed by the Senate, are Messrs. Byers, Huey and Watkins.

The Senate have assented to House bill No 114, to be entitled an act for the relief of Henry F. Sewall.

Mr. Speaker appointed Messrs. Tebbetts, Embry, and Snvier as a committee to wait on His Excellency, the Governor, in conjunction with the committee of the Senate, and inform him that the two Houses are now ready to adjourn *sine die.*

The following message from the Governor was received by his Private Secretary:

Mr. Speaker:

I am instructed to report to your honorable body that the Governor has approved and signed an act for the relief of Henry T. Sewall as surviving Executor of the will of Mary C. Sewall, deceased.

M. L. BELL,
Private Sec'y.

Mr. Tebbetts, from the committee appointed to wait upon the Governor, reported that His Excellency had no further communication to make to the House.

The following message was received from the Senate by the Secretary.

Resolved, That the House of Representatives be informed that the Senate have finished their business and are now ready to adjourn *sine die*, as her joint resolution heretofore adopted.

Mr Tebbetts offered the following resolution:

Resolved, That the Senate be informed that the House of Representatives have finished their business and are now ready to adjourn, *sine die.*

On motion of Mr. Fletcher the roll was called and the following members were present in the Hall and answered to their names: Messrs. Ayers, Blakemore, Bradley, Carroll Cauthron, Emerson, Embry, Fletcher, Gilmer, Hart, James, McIlroy, McRae, Muprh, Moore, Preston, Puburn, Sissell, Sevier, Trimble, Tappan, Trapnall, Tebbetts, Walker, Whittington, Wills, Watson, and Mr. Speaker—28.

On motion of Mr. Tebbetts, the Speaker proclaimed that the House of Representatives stand adjurned, *sine die*, by virtue of a joint resolution of both Houses heretofore adopted for that purpose.

T. B. FLOURNOY,
Speaker of House of Representatives.

B. T. DUVAL, *Principal Clerk*
of House of Representatives.

REPORT

OF THE

FINANCIAL RECEIVER

OF THE

BANK OF THE STATE OF ARKANSAS.

His Excnllency John S. Roane, Governor of the State of Arkansas:

Sir: In pursuance of an act of the General Assembly of the State of Arkansas, entitled "an act concerning the printing of the Governor's message and accompanying documents," approved the 8th January, 1849; "an act further to define the duties of Financial Receivers of the State Bank and Branches," approved 23d December, 1846; and the act placing the State Bank in liquidation, I have the honor, herewith, to submit my report.

Table A, exhibits the "individual indebtedness" of the Principal Bank at Little Rock; by reference to which, it will be seen, that the total amount of bills and notes now due, with the interest calculated on each to the 1st day of October, 1850, amount to the sum of $402,320 31. I have classed the debts into four classes, denominated "Solvent," "Doubtful," "Insolvent," and "Lost," and from the best information I have been able to obtain of the circumstances of the debtors, I believe the following will be found very near, if not entirely, correct: Solvent, $136,978 65; doubtful, $64,494 29; insolvent, $115,152 14; and lost, $85,695 23. This classification shows that a very small fraction over one-third of the debts now due the Principal Bank, can be relied on as assets, and that about one-half is now entirely lost and insolvent.

Table B, exhibits the bills and notes due the Branch of the Bank of the State of Arkansas at Batesville, on the 10th day of February, 1847, when C. D. Cook, Esq., took charge of said Branch as Receiver; the amount of collections made at said bank from the 10th Feb., 1847, to the 1st July, 1850, &c. The bills and notes due said branch, on the 1st day of October, 1850, with interest on same, to that time, amount to $283,871 79; of which, I class $9,959 25, as solvent; $132,852 02, as doubtful; $71,291 25, as insolvent; and

$69,769 27, as lost. The parties to the notes classed as "doubtful," are generally good; but I have deemed it my duty to class them as doubtful, from the fact that a great many of the notes have been in suit for two or three years—during which time the Attorney for the Bank has not been able to recover judgments on any notes of large amount, that have been defended. Could collections be enforced, I have no doubt but there are debts due this Branck, from which the Bank could realize at least $100,000.

Table C, exhibits the bills and notes due the Branch of the Bank of the State of Arkansas, at Arkansas Post; and the collections made at said branch since the month of November or December, 1847. The bills and notes due on the 1st Oct., 1850, with interest calculated on each to that time, amount to $173,748 88, of which I have classed $85,005 23, as solvent; $21,819 69, as doubtful; $21,458 89, as insolvent; and $45,465 07, as lost. This is independent of the amount remaining due from *M.* W. Dorriss, Esq., late Attorney for said branch.

By reference to the proper column in table C, you will perceive that he, as Attorney, collected, from Nov., 1847, to June, 1849, the sum of $52,581 30. By reference to table E, you will see that on the 2d July, 1849, M. J. Dorriss, as executrix of the estate of M. W. Dorriss, dec'd, paid into bank the sum of $15,235, leaving a balance due the bank of $37,346 30, as exhibited in table F. Of this amount, the administrators of the estate claim that $12,000 or $14,000, have been paid to the Bank. The vouchers upon which this offset is founded are on file in Bank, and will be laid before the Bank committee, for adjustment.

Table D, exhibits the bills and notes due the Branch of the Bank of the State of Arkansas, at Fayetteville, on the 6th of April, 1849; the amount collected by J. *M.* Tebbetts, Esq., the Attorney for said branch, from that time to the 12th Sept., 1850; and the amount of bills and notes due said branch on the 1st day of October, 1850.

The bills and notes, with the interest, due on the 1st Oct., 1850, amount to $221,619 19; of this amount I class $35,243 68, as solvent; $22,238 52, as doubtful; $68,762 18, as insolvent; and $95,374 81, as lost. The proportion of debts "lost" at this branch is greater than at any other. This is owing to the fact (as will be seen, by reference to the proper column in table D.,) that the officers at said branch permitted a large amount of debts due, to run out of date, without suit. I have no hesitation in saying, that a large portion of the notes returned to this Bank, by the Bank againt, from said branch, exhibited in table D, "as barred by statute," could have been collected, if they had been properly attended to, at the time they fell due, and collections been enforced.

The total amount of bills and notes due the bank and branches on the 1st Oct., 1850, with interest calculated on each note up to that time, is $1,081,560 17; of which I class $267,186 81, as solvent; $241,404 52, as doubtful; $276,664 46, as insolvent; and

$296,304 38, as lost. From the $572,968 84, classed as "insolvent" and "lost," nothing will ever be realized for the Bank. At least no reliance need be placed on this amount, in calculating the available assets of the Bank.

Of the amount classed as "doubtful," something will no doubt be realized, and perhaps a large portion of it. The amount classed as solvent, I think will be collected.

On the 18th day of June, 1849, I discovered that A. E. Thornton, late receiver of this Bank, was a defaulter of $4,013 01. This defalcation was detected by examining the cash and specie accounts of said receiver. Under the law in force, from Dec., 1846, to Jan., 1849, the receiver sold large amounts of Real Estate Bank paper, for specie, to pay the current expenses of the Bank. When he sold the Bank paper for specie, he credited his cash account with the amount sold, and did not change the specie realized from such sales, in his cash account; but when he paid out the specie, so raised, he credited his cash account with the amount; thus receiving credit twice for the same money. As soon as I ascertained the amount he was in default, on this account, I notified him of the fact, when he came forward, and paid it.

On, or about the 9th day of August, 1849, Gen. Geo. W. Clarke, Bank agent, turned over to this Bank, the assets of the Fayetteville branck. On examining the books and papers of said branch, I found that A. E. Thornton was a defaulter, for cash paid him by the following persons, to wit:

Jo's M. Hoge, deposited in 1845 or 1846,	$1,858 64
R. P. Pulliam, Esq., paid on 17 Nov., 1846,	1,460 00
M. T. Scott, Esq., paid on 4 Jan., 1847,	200 00
W. S. Oldham, Esq., paid on 15 July, 1847,	1,000 00
Joab Durham, Esq., paid on 21 Feb., 1848,	360 00
Cha's W. Dean, Esq., paid on 10th April, 1848,	2,616 84
W. Adams and A. M. Ward, Esq's. paid 14 June, 1848,	385 00
and James M. Floyd, Esq., 7 Nov., 1847,	50 00

Making, in all, $8,930 48.

I immediately notified him of such defalcation. On the 13th of August, 1849, he paid into Bank, on account of the above amount, the sum of $4,853 64, and requested me to delay any action on the balance, until the Bank agent could return the books and papers belonging to the Arkansas Branch, by which, he alleged, he could satisfy me that he had accounted for it. The assets of the Arkansas Branch were delivered to me, by the Bank agent, on or about the 7th day of Sept., 1849. I immediately placed them at the disposal of Col. Thornton, who after a thorough examination, entirely failed to satisfy me that he had in any way accounted for the $4,076 84, the balance due by him, on account of the money paid by the above named individuals on account of the Fayetteville Branch, and I insisted on immediate payment of the same.

Upon further examination of the books and accounts of the Principal Bank, I found that he was in default for $32 35, paid him on the 23d Nov., 1846, by James P. Millwee, Esq., for which he had given Mr. Millwee, no credit on the books of the bank. I also found that he was in default for $151 20, deposited by Fleetwood Herndon and Wm. H. Etter, in the branch of the Real Estate Bank at Washington, on the 6th May, 1847, which amount was paid to him, through Col. Tho. W. Newton, Cash'r and Sec'y of the Real Estate Bank.

I also found that John H. Crease, Esq., late Financial Receiver of the Principal Bank, paid to Thornton, as his successor in office, on the 25th day of April, 1845, the sum of $870, in paper of the Fayetteville Branch Bank, (as part of the money on which E. Riggs recovered judgment against the Bank in New York), for which he never had accounted, in any way, or run into his cash account.

Those last three amounts, added to the balance due on account of payments made to him for the Fayetteville Branch, he paid to me, on the 21st day of September, 1849—being $5,130 39.

On the 15th October, 1849, I reported at length to you, showing that Col. Thornton, as receiver, is in default to this Bank for interest that accumulated on State Bonds, while they were in his hands, and for interest claimed on his other defalcations, for more than $6,000 To recover this amount, suit is now pending against his securities.

Table E, exhibits the amount of cash turned over to me by A. E. Thornton, late receiver, to be $182,321 48; the amount collected from the 6th April, 1849, to the 1st Oct., 1850, to be $163,779 42; and the amount of interest that has accumulated on the Real Estate Bank Bonds received from Thornton, as receiver, and in collection of debts, to be $11,263 08, since they were paid to me; making in all $357,353 98.

I have cancelled and filed with the State Treasurer, since I came into office, 65 Bonds, issued on account of the State Bank. The interest paid to redeem them, was $23,629, making $88,629. I have, with the State Treasurer, registered and burned $33,650, of Arkansas State Bank and Branch paper. I have also cancelled and filed with the State Treasurer, 45 Coupons issued with Bonds of the State Bank, amounting to $1,350. For a full and complete statement of the cash operations of this Bank, from the 6th April, 1849, to 1st Oct., 1850, I refer you to table E—where it will also appear, that the cash on hand, 1st Oct., 1850, amounts to $224,110 68.

Table F, shows the number of bonds issued on account of the State Bank, that are outstanding and unredeemed on 1st Oct., 1850, to be 975, and the interest due thereon at that time, to be $531,562 50; making $1,506,562 50. It also shows the Arkansas Bank paper in circulation and unredeemed on 1st Oct., 1850, to be $50,087. 50—making the total liabilities of the State Bank, one million five hundred and fifty-six thousand six hundred and fifty dollars ($1,556,-650.) This table also exhibits the resources of the Bank; upon an examination of which, you will readily perceive that the loss to the

State, on account of the State Bank, will be about one million of dollars. It also shows, that if every dollar of principal and interest due the bank, on the 1st Oct., 1850, could be collected, that it would fall short of redeeming the bonds issued to place her in operation, near $190,000. Of the $224,110 68 of "cash" "on hand," $220,475, is in Bonds and Coupons issued on account of the Real Estate Bank, which, if not redeemed by the Real Estate Bank, or exchanged for bonds issued on account of this bank, will increase the loss to the State, on account of the State bank, that amount. I have endeavored to exchange bonds with the Real Estate bank, but have not been able to do so, to any extent, as Col. Newton informed me that they had no bonds on hand, issued on account of this bank, and of course, he was unable to make the exchange.

I have in all cases, when I had Real Estate bank paper on hand, and an opportunity offered, exchanged it for bonds issued on account of this bank, and cancelled and filed them with the State treasurer, as required by the 2d sec. of appropriation act of 1844.

Table G, exhibits the amount of specie received and disbursed at the principal bank, from the 6th day of April, 1849, to the 1st Oct., 1850, and for what purpose it was expended.

The last Legislature adjourned without making any appropriation to pay the bank agent appointed by the Governor, under a resolution of the General Assembly, to receive from the Receivers of the different branches of the State Bank the assets of such branches, and return them to the principal bank. His expenses while engaged in the performance of his duties as agent, amounted to a considerable sum; all of which he had to pay out of his private funds, or abandon the trust confided to him. Under these circumstances, I paid him out of the specie on hand in the Bank, upon his application, the sum of $160.

The $50, paid to Mr. Carroll, Attorney for this bank, was under the following circumstances: The bank, on the 9th Jan., 1844, obtained judgment against Mary B. Miles, *et al.* on a note for $2,700. The officers run an execution to Chicot county, returnable to the April term, 1847; and at the same time agreed with the parties, that if they would pay the arrearages of interest, cost and discount, they could put in new note for the amount of the principal ($2,700), due in 12 months. This proposition was acceded to and complied with on the part of Mrs. Miles; and on the 15th day of April, 1847, she paid or caused to be paid to Thomas H. Rives, then sheriff of Chicot co., the sum of $1,345, in Arkansas funds, and executed, and handed him the new note for $2,700, due 1st April, 1848. The judgment remained unsatisfied when Mr. Carroll and I came into office, and to recover the amount, we caused an execution to issue, when the above facts were shown by the parties; and to recover from Mr. Rives the $1,345 in cash, and the new note executed by Miles, Mr. Carroll had to go to Chicot county, and the $50 received by him was to bear his expenses.

Mr. Carroll recovered the note; but Mr. Rives failed to pay the money collected, to recover which suit has been brought to the next December term.

The amount expended in repairing the Bank-house was absolutely necessary to preserve it from ruin, as the roof was in a very leaky condition, and the fencing was rotten and down. The house now requires some repairs to be made to preserve it.

In relation to the future policy of the State, in relation to the State Bank, I would respectfully, suggest the propriety of adopting some mode whereby the expenses of collecting the debts due the bank may be reduced.

The available assets yet outstanding are now reduced to less than $300,000.

The debts already lost, and those known to be entirely, insolvent, should be striken out of the assets, as they only, encumber the books, and give the officers a great deal of unnecessary work and trouble.

The debts reported as doubtful, or at least a large portion of them, might be placed in the hands of attorneys, residing in counties where the parties do, and give them power to compromise the debts, so as to secure a portion, if all cannot be collected. The office of Financial Receiver might, with propriety, be abolished, and the assets of the bank and branches placed in the hands of the State Treasurer.

Since the adjournment of the last Legislature, judgments have been obtained against the bank, on her paper, in favor of James M. Curran and John G. Cocks. For the amounts, I respectfully refer you to the report of D. W. Carroll, Esq., Attorney, for the principal bank, accompanying this report, marked H.

Before closing this report, I must, in justice to myself, state, that errors will be found in the tables exhibiting the condition of the Branches, as the books at none of them were regularly kept up since the act of ilquidation went into effect; consequently it is impossible to ascertain the condition of every note. I have endeavored to show the condition of every note, and have done so from the best information I have been able to procure. When errors are found, I hope they will be attributed to the want of proper entries on the books, from which I could have obtained the necessary information, and not from any desire on my part to misrepresent any.

I have the honor to be,
respectfully, your ob't serv't,
JOHN M. ROSS,
Financial Receiver.

RECEIVER'S OFFICE, STATE BANK,
Little Rock, October 1st 1850.

H.

Little Rock, Oct. 15, 1850.

JOHN M. ROSS, Esq.,
Financial Receiver:

SIR: In compliance with your request, I furnish to you below a statement of judgments rendered againgt the State Bank, since I came into office, upon notes put in circulation whilst the Bank was discounting, viz:

On the 12th May, 1849, judgment was rendered in 94 different cases, by John C. Peay, Justice of the Peace, against the Bank, in favor of James M. Curran, amounting in all to

Debt,	$9,355
Interest in damages,	5,306
Costs, (about)	643 93
Total amount of judgments,	$15,304 93

On the 27th September, 1850, judgment was rendered in 5 different cases, by John C. Peay. Justice of the Peace, against the Bank, in favor of John G. Cocks—amounting in all to

Debt,	$500 00
Interest in damages,	325 00
Costs,	5 90
Total amount of judgments,	$830 90

On the judgments rendered in favor of James M. Curran, $587 72 in par funds, have been collected by levy on the money, after it was collected by the sheriffs of Hempstead and Sevier county, in favor of the bank, under executions in their hands; $346 72, par funds, was made by the sheriff of Pulaski, under execution, by the sale of Real Estate bank notes, levied on as the property of the State bank; making in all $934 44, good money, which has been collected on the judgments in favor of James M. Curran.

An appeal has been prayed and allowed, from the judgments in favor of John G. Cocks, and no executions have as yet been issued.

Thus, it will be seen, that judgments now stand against the State bank, to the amount of $15,201 39, after deducting the amount collected as above stated.

Respectfully,
D. W. CARROLL, *Attorney*
for the Bank of the State of
Arkansas, at Little Rock.

REPORT

OF THE

STATE LAND AGENT.

STATE LAND OFFICE,
LITTLE ROCK, ARKANSAS,
October 1*st*, 1850.

HIS EXCELLENCY JOHN SELDEN ROANE:

SIR: In accordance with an act of the last General Assembly, I have the honor to submit to you the following report of the operation and condition of this office.

The half million of acres granted to this State, by Congress, for purposes of Internal Improvement, has been located, and, with the exception of one hundred and ten 79-100 acres, has been confirmed, and the title vested in the State. A tract covering this moiety was located on the 12th of August last, but no acceptance of it has yet reached this office. A detailed list of all these lands has been furnished by the Secretary of the Treasury, for the use of the State.

The selections made, as a part of this grant, which were rejected by the Department, at Washington, as lying within the bounds of the DeBastrop claim, amounting to nine thousand nine hundred and sixty-three acres, was re-located in accordance with the act of the General Assembly, approved 26th December, 1848, the privilege of re-selection having been allowed, first to purchasers who had settled upon these lands under State titles.

The number of acres of this grant which have been sold, up to this date, and the price at which they were disposed, will be found from the records of the office, to be as follows:

Number of acres sold.	*At what price.*	*Amount.*
260.52	$5 00	$1,302 50
695.15	4 00	2,780 60
78,229.51	2 00	156,459 02
22,924.65	1 26	28,885 04
189,223.15	1 25	236,528 94
291,332. 98		$426,956 20

Thus showing that, of the five hundred thousand acres, two hundred and ninety-one thousand three hundred and thirty-two 98-100 have been sold for the sum of four hundred and twenty-five thousand nine hundred and forty-six 20-100 dollars, leaving still unsold, two hundred and eight thousand six hundred and six-seven acres.

The proceeds of the sales having been passed into the hands of the Treasurer of the State, or Land Attorney and State Collector, this office affords no data from which to base an estimate of the amount collected.

For the two years ending the 30th Sept., 1850, and since my last report, the following statement will show the moneyed transactions of this office:

Dr.		
For amount received from sundry persons, upon notes before being deposited with the Treasurer,		$1,322 97
Cr.		
Paid stationary account, on the draft of the Governor, per voucher No. 1,	24 10	
Paid salary of the Land Agent, 2 years, at $500 per annum,	1,000 00	
Paid Treasurer, per voucher No. 2,	298 87	1,322 97

There have been offered at public sale, as required by an act approved 20th December, 1844, at different periods, four hundred and eight thousand acres of this grant, leaving the residue subject to entry under the State pre-emption law, of December 14th, 1846. It is proposed to place this in market, on or before the first day of January, the delay thus far having been caused by the tardiness of the confirmations from the General Land-office.

The law requiring the Land Agent to assume the charge of maps, records, and other papers, belonging to the office of the Surveyor General of Arkansas, became in operative, from the fact that Congress deemed it expedient to continue that office and make further appropriations for the completion of its unfinished business.

SEMINARY LANDS.

The condition of the seventy-two sections of land granted for the advancement of education, will appear from the following exhibit of sales, from the date at which they were added to the trust committed to the Land Agent:

	Number of acres sold.	*Dollars.*	
1845–6	2,320	4 00	9,280
1847–8	1,360	3 00	4,080
1849–50	5,371 52	2 00	11,743 04
			25,103 04

Of this amount there was received, in cash, and deposited with the Treasurer, on the day of payment, for vouchers from No. 1 to 15:	$3,814 32	
In notes,	21,208 72	
		25,103 04
The whole number of acres covered by the seventy-two sections are—		44,242 98
There were sold by		
Governor Pope,	1,734 36	
" Conway,	320 00	
" Yell,	5,661 34	
Land Agent,	9,081 52	
		16,767 22
Leaving unsold,		27,475 76

The good effect of graduating the price of these lands, which have now fallen to the minimum value of two dollars per acre, is apparent in the increased sale and the attention which seems recently to have been diverted to them, by settlers and others.

It is believed, from many sources of information in possession of the Land Agent, that the unsold portion of the grants, both for Internal Improvement purposes, and for a Seminary, are not less valuable, intrinsically, than those already disposed of.

L. J. REARDON,
Land Agent.

REPORT

OF THE

SUPERINTENDENT OF THE PENITENTIARY

ARKANSAS STATE PENITENTIARY,
LITTLE ROCK, ARKANSAS,
October 2, 1850.

To the General Assembly of the State of Arkansas:

The undersigned, in compliance with the laws of the State, requiring of him, as Superintendent of the Penitentiary, to make a report to your honorable body, would respectfully submit the following as his report: I took possession of the Penitentiary, on the 16th day of April, A. D. 1849, by contract with the Governor of the State, under an act of the Legislature of the last sesssion, until the first day of March, 1851; which contract bound me to feed, clothe, and medicate, the convicts, free of expense to the State, during the continuance of my said contract. When I took charge of the Institution, I found the prisoners destitute of a change of clothing, without beds or blankets to cover them, or stoves to warm them, in the house in which they were confined. There were neither stoves nor fire-places in the cook-house, or whole building—all such articles being held, and claimed by my predecessor, as his individual property—which placed the prisoners in a very unpleasant and unhealthy situation.

I also found the work-shops destitute of such tools as were necessary to carry on any kind of business whatever—they, also, being claimed by my predecessor, as his individual property. For your more satisfactory information in relation to the tools, I have appended a list of all that came to my possession, namely: Three old blacksmiths' bellowses; three old anvils; two old vices; three old screw plates and taps; one vice for cutting screws in; one large coopers' stoke; two jointing planes; one crows; one coopers' adz; one stone for grinding paint. With the exception of the above list, I had to purchase or make all such others as were necessary to carry on any business whatever, which has cost a considerable sum of money.

When my predecessor surrendered the prison to me, at the date before mentioned, there were thirty-two convicts; since which time, there have been committed, twenty-three, from various parts of the State, for various offences, and for various periods of time, as follows, from the several counties (including all now in prison), to wit:

From Chicot county, 1, for murder in second degree, for 5 years.

Crawford, two—one for rape, 10 years; one for larceny, 5 years.

Carroll, one, for larceny, 5 years.

Conway, three—one for murder, 21 years; two for larceny, one for 5 years, one for two years.

Crittenden, two, for larceny—one for 5 years, one for 2 years.

Hempstead, two—originally for burglary and larceny, recommitted in Pulaski, for life, for open rebellion.

Independence, one, for larceny, 5 years.

Johnson, three, two whose times have expired; one for assault with intent to kill, 4 years, (free man of color.)

Madison, two—one pardoned by his Excellency Governor Roane, a short time before expiration of sentence; one for larceny, 5 years.

Montgomery, one, for larceny, 5 years.

Pulaski, nine—one for murder, 7 years; 3 for counterfeiting—one for 31 years, one for 12 years and one for 9 years; three, 5 years each, for an escape from prison; two, for larceny, one for 5 years, one for one year.

Phillips, seven—one for assault with intent to kill, 5 years; one for counterfeiting, 6 1-2 years; 5 for larceny—two for 2 years each, one for 2 1-2 years; one for 1 year; one for 3 1-3 years.

Randolph, one, for maiming—time expired.

Desha, two, for murder in second degree—one for 7 years, one for 10 years.

Washington, five—two for negro stealing, one for 11 years, one for 5 years, (free man of color); one for murder in the second degree, 5 years, pardoned two and a half months before expiration of sentence; 2 for larceny, 1 for 5 years, one for 1 year.

White, two, terms expired.

St. Francis, one, negro stealing, time expired.

Franklin, two, larceny—one for 5 years, one for 2 years.

Union, four—one for negro stealing, 10 years; 3 for larceny—2 for 10 years each, one for 5 years.

Two United States' prisoners—one for 15 years, one for one year, (man of color, slave owned in the Indian nation.)

Making, in all, fifty-five, out of which number 9 have been discharged, by expiration of sentence; 3 have been pardoned; 3 have escaped, and now running at large; two have been taken out by order of Supreme Court; making in all 17; which number, deducted from 55, leaves in my charge this day, 38 prisoners, two of whom are United States' prisoners, several of whose terms of sentence will expire during the coming winter and spring.

Since the commencement of my duties in this prison, the convicts have generally enjoyed good health, with few exceptions; none have died. It may not be amiss to say, they, with but few exceptions, have behaved themselves as well as could be expected. It has been my constant aim to do every thing in my power to render them as comfortable as possible, consistent with my duties. They have been furnished with good healthy food, and such clothing as to render them comfortable at all seasons.

Those whose time has expired by expiration of sentence, have been furnished with suitable clothing to leave with, and some money to defray their expenses to some place where they could get employment. The amount expended for that purpose, amounts to the sum of forty-eight dollars.

It is doubtless known to your honorable body, that, since I took charge of the Penitenitentiary, it has been destroyed by fire, consuming almost everything valuable within its walls. Among such things as were thus destroyed, was a lot of materials indispensable in carrying on the several branches of business, in which the convicts were employed—lumber of various kinds and descriptions, together with a quantity of corn, as, also, a quantity of clothing and bedding of the convicts, amounting, in all, to at least, the sum of eight hundred dollars.

It may not be out of place to call your attention to the fact of my having, when I took charge of the Penitentiary, to purchase of my predecessor, a sufficiency of clothing for a change for the prisoners, who had worn what they had on for one week; such as was bought, had been made for, and previously worn by them—he, my predecessor, claiming such as his individual property, and the purchasing of which, added materially to the amount of my expenditures unexpectedly. It seems but reasonable that such clothing of right belonged to the convicts, as, also, the stoves and kitchen fixtures, should have remained attached to the building; which, however, were claimed by my predecessor, as his individual property, and as such had to be bought from him, at my own expense.

After the conflagration, I was left in a very trying and critical situation—having in my charge, from thirty to forty State convicts, to guard and keep securely, without any comfortable shelter, or building to protect them against the inclemency of the weather; notwithstanding these obstacles, it gives me pleasure in saying that none of the convicts made their escape at that time, and I must be permitted to say, that, at the conflagration, all praise is due to the good citizens of Little Rock, for their kindness in coming to my assistance, for which they have my best wishes for their prosperity.

Being left without a shelter or security for the prisoners, I was at a loss to know what to do. I did not know whether it would or could be expected of me to repair the building, when my contract did not say one word about any such unexpected accident. In this dilemma, I called upon the committee of Inspectors, to know what was best to be done. They, however, gave me no satisfaction, instruction, or advice, as to the course I should pursue; but said they had no doubt the legislature would pay a fair compensation for all such repairs as were necessary for the safe-keeping ot the prisoners. Believing myself in the justice and liberality of your honorable body, I commenced the work, and have so far succeeded, as to have two-thirds of the building re-covered, with a good and substantial roof, perhaps better than the former one. The remaining portion of the roof I have partially covered, so as to protect the building from the weather; and concluded to wait the assembling of your honorable body, before proceeding further with repairs necessary to be done for the safety and security of the building.

I would here inform your honorable body, that I have made this report principally and wholly from what I have seen and learned from experience. When the Institution was first handed over to me, there was not a record to be found in the office, with the exception of an old book, with the names and descriptions of the convicts, scattered over the whole book, without an index to refer to, to find the charges against them, without a general search of the whole book. Some time after taking charge, I learned there were books and records in the hands of a gentleman in the city of Little Rock, who was the administrator on the estate of a man who was formerly clerk of this Institution, previous to the agency of my predecessor, which would give me all the information so desirable and necessary for my guide and instruction in the discharge of my duties. But, on application to the person having them in charge, was refused an examination or inspection of the same—excusing himself upon the ground that the State was indebted to the intestate of whom he was administrator, and would not give them up on that account. How those books and records passed from the hands of my predecessor, into the possession of this gentleman, I was not informed.

Hence, in the absence of such records and papers, I have had no data, from which I could learn, or draw any information, which has left me to learn and know every thing from experience. Could those books and papers referred to, have been seen and inspected, doubtless the receipts of my predecessors could have been seen & inspected, and from which, could have been learned the true state and condition of the Institution, from time to time, from its existence to the present time, what did truly belong to the State, at the time the Institution came into my charge, which certainly would be of great benefit in making such other future disposition of the Institution as your honorable body may deem best calculated to advance the interest of the State.

In conclusion, permit me to observe, so far as I have seen and learned, the circumstances connected with the burning of the prison, on the 28th of March last, are: Two of the convicts contrived to effect an opening through the arch of their cells overhead, which was only one brick deep, which gave them access to the roof of the building to which the fire was communicated. Some short time after the conflagration, a discovery was made, that one of the convicts had carried concealed, for some time, upon his person, in the facings of his coat, some friction matches, from which the building was set on fire.

I would further state, that the enclosure, enclosing the prison, is very insecure; so much so, that any person could make his way through it. Nothing but the guard, always on post, keep the prisoners secure, &c. &c.

All of which is respectfully submitted to your honorable body.

JOHN H. HAMMACK, *Superintendent*
Arkansas Penitentiary.

PETITION.

The Petition of John J. Clendenin, *now the Attorney General of the State of Arkansas.*

To the Senate and House of Representatives of the said State:

Your petitioner respectfully represents, that he is now, and has been for the past two years, the Attorney General of this State, and as such has to the best of his ability endeavored to discharge his duty; but upon reference to the report of the joint Standing Committee on Banks, made on the 30th of December, 1859, and this morning, for the first time, brought in any manner to my manner to my knowledge, I find that fault is found with me, and as I humbly conceive, great injustice done me. I have been tried and condemned in that report, without ever for a moment knowing or suspecting, that any official conduct was the subject of investigation; or being in any manner adlised of it, until the printed report was this morning laid on the tables of your Houses; and being as I conceived thus aggrieved, I respectfully ask, that in this, my defence, I may be fully and fairly heard by your Hon. bodies, while I submit the facts in reply to the charge made in the report, and I confidently hope that the committee, when they her the facts, will be the first to do me justice.

The extract from the report of the committee to which I object as reflecting on me, is as follows:

"And out of these double speculations, and taking all the other advantages, which their position and means gave them—one of them, Thornton, in the course of four years, from a pauper, accumulated a large fortune; and although he was notoriously guilty of every offence that could be committed in the bank, against the State and the law, and although the most conclusive proof was furnished the State, of the peculations and forgeries, &c., committed by him, and although this information was furnished the Attorney General, by the Governor, he (the Attorney General) did not act, and Thornton was permitted to remain, unmolested, for some time at the seat of Government, winding up his affairs, and at last permitted to leave the country, openly, without hindrance from any quarter."

By this extract from the report, I am charged with not having acted in regard to the arrest of Thornton, after information was furnished by the Governor.

On the 18th of October, 1849, I received a large package, which, upon examination, I found to be a long and voluminous report of J. M. Ross, Esq., Financial Receiver of the State bank, on the subject of the conduct of A. E. Thornton, then the late Financial Receiver, accompanied by a note from the Governor, drawing my attention to the report.

Upon examination of this report, I then believed that whatever defalcation existed against Tornton; the suit should properly be brought by the bank, in her name, and by her Attorney, and so communicated my opinion verbally to the Governor, and the Attorney of the bank. Immediately after this communication, the Governor left the State for Memphis, and did not return until after the 1st of November, 1849.

On the first of November, having, for the first time heard, by rumor, that A. E. Thornton was about to leave the city of Little Rock, I wrote to J. M. Ross, Financial Receiver of the State Bank, and handed to him, the following communication:

"*Little Rock, Nov.* 1*st*, 1849.

"To J. M. Ross, Esq.,
Financial Receiver:

"On the 18th of October last, His Excellency, John S. Roane, Governor of this State, submitted to me your report in relation to the defalcation of Abner E. Thornton, late Financial Receiver, and also preferring charges against Col. T., for misdemeanor and fraud in office, with instructions for me to take such steps in relation thereto, as the interests of the State might require. Upon investigating the report, I was satisfied that whatever civil proceedings were taken, must be taken by the Bank, and in her name, and so informed the Governor, and D. W. Carroll, Esq., the Attorney for the Bank.

"In relation to criminal proceedings, I deem sufficient has been shown by your report, for me to submit the facts before and to the next grand jury for their action; but it may probably be necessary that some steps should be taken before then, to secure the attendance of Col. Thornton, and have to sugest that if you think proper to do so, an affidavit should be made by you, before an officer, setting forth the facts, and requiring that Col. T. should be held to bail, for his appearance before our next circuit court, to answer the charges against him.

"Will you please communicate to me your views in relation to the above.

Respectfully, your ob't serv't,
JOHN J. CLENDENIN,
Attorney General."

On the 2d November, 1849, I received the following reply to the above:

"Receiver's Office, State Bank,
Little Rock, Nov. 2, 1849.

"Sir: Your communication of yesterday's date, that you handed to me this morning, I have received. I was not aware, until I had done so, that the officers of the Bank had the power to institute suit on Col. Thornton's official bond, for the recovery of the amount of the defalcation, I reported to his Excellency Gov. Roane, on the 15th ult.

"I will lay your communication before Gov. Roane, D. W. Carroll, the Bank Attorney, as soon as they return to this city, for their action.

"As Col. Thornton left this city, early yesterday morning, it is unnecessary that I should take any steps now to hold him to bail, to answer the criminal charges set forth in my report, neither do I believe it is my duty to do so.

I am, very respectfully, your ob't serv't,
J. M. ROSS, *Financial Receiver.*

John J. Clendenin, *Att'y Gen.*"

After these communications, the next information I received, was from the following letter:

"*Little Rock, Nov.* 30, 1849.

"J. J. Clendenin,
Att'y Gen. of Ark's.

"Sir: Upon information furnished us by the Financial Receiver of the State Bank at this place, we deem it our duty, under the law, to direct you, as the Att'y Gen. of the State, immediately to institute suit against A. E. Thornton, and his securities, upon his official bond, to secure an amount alleged by said Financial Receiver, to be due from said Thornton, to said bank.

(Signed) JOHN SELDEN ROANE,
Governor of the State.
WM. ADAMS,
Treasurer of the State."

Immediately on receiving this communication, suit was instituted, and is now pending. From this state of facts, your petitioner respectfully submits that he did "act" as far as he legally had the power to do; that he could not, either legally or morally, have made the affidavit, which the law would have required, to hold Col. Thornton to bail; that he had no such personal knowledge of the offence, which would have justified him in making such an affidavit, and that, therefore, it was not his duty to do so.

It certainly cannot be urged, that the prosecuting officer of the State, could be expected to make an affidavit for the arrest of every violator of the law, unless he had a personal knowledge of the commission of the crime. If such was his duty in one case, it would be in all criminal cases, to set the law in motion. This would embroil him as *prosecutor* in State cases, weaken his influence as the sworn and impartial law officer of the State, if, indeed, it would not Subject him to the charge of perjury, for swearing to facts of which he was not cognizant; and it is well known that without such affidavit of a specific crime, Thornton could not have been arrested before indictment found.

Your petitioner was ready and willing to assist the proper officers in bringing A. E. Thornton to justice, but he never has believed it his duty to *swear* to what he did not know.

I believe it is well known, that Thornton, although he left the city of Little Rock, remained publicly in the State until after the first of December following; and then only left, upon receiving some information, through a source unknown to me, that his case would be investigated by the grand jury, then in session.

These are briefly the facts, as far as I am concected with them; and while I am far from imputing blame to others, I do not wish to be made the victim of all the prejudice which naturally attaches to a most miserably managed institution—one that I have never been connected with in any way, except to pay or secure every cent that I ever owed her, either on my own account or as security for others; and I respectfully ask, at the hands of your Hon. bodies, a favorable consideration of this, my appeal to your justice; and I pray, that so much of said report as reflects injuriously upon my official conduct, may be corrected.

All of which I respectfully submit.

JOHN J. CLENDENIN.

Little Rock, Jan. 4th, 1851.

A TABLE, exhibiting the Notes and Bills due the STATE BANK, at Little Rock, on the 1st day of October, 1850; showing the number of the Bank Attorney; date of judgment; names of the parties against whom judgment was rendered; residence of the Principal when note 1st October, 1850; Principal and Interest due 1st October, 1850; amount supposed by the Receiver to be Solvent, Doubtful, Insolvent,

	PRINCIPAL ON NOTE	SECURITIES, OR ENDORSERS ON NOTES.	Note, when due.	Amount of Note.	When placed in Bank Attorney's hands for suit, and date of his receipt.	Name of Bank Attorney.	Date of Judgment.	Names of the parties against whom Judgment was rendered.
1	Anthony James C	John Wilson and P M Sherman	22 Feb'y 1842	$ 1,000 00	6 Oct'r 1843	S H Hempstead	9 January 1844	Anthony and Wilson
2	Anthony Philip L	James C Anthony and Emzy Wilson	22 Feb'y 1842	600 00	22 Oct'r 1844	same	28 October 1845	Anthony, Anthony and Wilson
3	Allis Horace B	Roswell Beebe	1 Dec'r 1850	2,135 00				
4	Armstrong A J	James Leslie	24 May 1851	130 00				
5	Annear William	Benjamin J Borden and James D Fitzgerald	4 July 1847	150 00	7 June 1849	David W Carroll		
6	Adams Sam'l	Edward Marcus and C C Danley	15 Sept. 1850	400 00				
7	Ashbrooks A E	Green B Hughes and A R Hockersmith	15 Mar. 1851	350 00				
8	Barkaloo John R	W S Lockert, S J Cook and W Calvert	28 June 1841	250 00	29 Sept'r 1843	S H Hempstead	9 January 1844	Cook & Calvert
9	Barkaloe John R	W S Lockert and H F Shaw	9 April 1842	600 00	29 Sept'r 1843	same		Bank
10	Budd John J	R C Byrd and George Waring	21 Feb'y 1841	425 00	No Attorney's	Receipt on file.	15 June 1841	Budd, Byrd and Waring
11	Ball Bennett B	P L Shafer, D D Mason and Jas Tucker	28 Feb'y 1841	300 00	28 Sept'r 1843	S H Hempstead	8 July 1844	Mason & Tucker
12	Ball Bennett B	Nimrod Menifee and Nelson Phillips	28 April 1841	250 00	28 Sept'r 1843	same	12 January 1844	Bank
13	Ball Bennett B	Jas Tucker, B Murphy, P L Shafer, and A K Higgins,	28 April 1841	900 00	28 Sept'r 1843	same	8 July 1844	Murphy
14	Borden Benj J	George C Watkins	1 Dec'r 1850	4,481 54				
15	Brown William Jr	Wm Brown Sen'r. and Wm Nelms	6 Nov'r 1841	85 00	29 Sept'r 1843	S H Hempstead	21 Dec'r 1849	Wm Brown, Sen.
16	Boyle John N	James Pitcher and Emzy Wilson	1 April 1845	665 00	19 Dec'r 1848	L R Lincoln	23 Jan'y 1849	In Pulaski Pro. Ct. vs. est. J. N. Boyle
17	Boyle Amanda M	John D Adams, Peter Hanger and John Brown	23 May 1851	3,611 25				
18	Blount Reuben J	Fred. Fletcher and Benj. Murphy	12 April 1841	270 00	28 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Murphy
19	Black John S	James Moore and Wm Calvert	7 Jan'y 1842	40 00	2 Jan'y 1845	W G Cole, J P, Union co. Ark.	Jan'y 1845	Bank
20	Brazil Richard	Robert Brazil and Squire Allen	9 Feb'y 1841	340 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Richard Brazil
21	Brazil Richard	Robert Brazil and Owen Standlee	29 March 1841	360 00	29 Sept'r 1843	same	8 Jan'y 1844	Richard Brazil and O Standlee
22	Brazil Valentine Jr	Robert Brazil and John D Douglass	29 March 1841	450 00	29 Sept'r 1843	same	8 Jan'y 1844	V Brazil, jr. and Douglass
23	Bates Ashley B	W S Lockert, Wm Duncan and G B Hughes	14 June 1841	540 00	29 Sept'r 1843	same	13 May 1846	Bates
24	Bankhead T M R	Richard Pryor and Henry C Boyd	1 May 1844	850 00	19 Dec'r 1848	L R Lincoln	29 June 1849	Bankhead and Pryor
25	Bankhead T M R	Richard Pryor and Henry C Boyd	15 Jan'y 1849	462 00	7 June 1849	D W Carroll	21 Dec'r 1849	Bankhead and Pryor
26	Boyd Henry C	Richard Pryor and T M R Bankhead	1 Sept. 1845	800 00	7 June 1849	same	21 Dec'r 1849	Pryor and Bankhead
27	Block A & Son	David Block	24 June 1851	200 00				
28	Bizzell Wm H	R McDonald and Fountain G Stone	13 Feb'y 1843	750 00	36 Sept'r 1843	S H Hempstead	8 July 1844	Bizzell, McDonald and Stone.
29	Bizzell Wm H	Thos B Bizzell and Fountain G Stone	15 Nov'r 1846	1,272 00	4 April 1849	L R Lincoln		
30	Buckner Simeon	L J Reardon, R C Byrd and B M Reynolds	1 July 1840	2,736 00	28 Sept'r 1843	S H Hempstead	3 Dec'r 1846	Byrd
31	Buckner Simeon	L J Reardon, and Michael Bozeman	22 May 1841	3,500 00	28 Sept'r 1843	same	3 Dec'r 1845	M Bozeman
32	Bozeman Michael	Wm F Browning and Josh. D Stewart	1 April 1846	1,600 00	9 March 1849	L R Lincoln	5 June 1849	Bozeman, Stewart and Browning
33	Beall Asa B	Asa Beall	1 April 1851	50 00				
34	Brown H K	C W Holman and J B Holman	1 Sept'r 1844	550 00	15 March 1845	S H Hempstead	16 Nov'r 1846	Brown, Holman and Holman
35	Burriss Allen D	John M Burriss and Wm Strong	25 Feb'y 1841	145 00	sup'd Jan. 1842	Tolleson, by Bertrand, Agent		
36	Burriss Allen D	John M Burriss and Wm Strong	16 Feb'y 1841	550 00	sup'd Jan. 1842	same same		
37	Burriss Allen D	Wm B Burriss, J J Thompson and Wm Dobson	16 June 1841	600 00	21 Sept'r 1843	S H Hempstead	8 June 1846	Dismissed at cost of the Bank.
38	Burriss Wm B	A D Burriss, J J Thompson and Wm Dobson	26 June 1841	600 00	No Attorney's	Receipt on file.	20 June 1843	W B Burriss and Dobson
39	Burriss John M	Allen D Burriss and Wm Strong	16 Feb'y 1841	550 00	sup'd Jan, 1842	Tolleson, by Bertrand, Agent		
40	Barns John	James Burleston and Wm Strong	13 August 1840	360 00	21 Sept'r 1843	S H Hempstead	18 June 1846	Bank
41	Bryan Mary	Ruffin Brown and R H Hargraves	19 Feb'y 1841	600 00	21 Sept'r 1843	same	4 Jan'y 1844	Bryan, Brown and Hargraves
42	Brown Ruffin	Isaac Mitchell and R H Hargraves	13 Feb'y 1841	540 00	21 Sept'r 1843	same	4 Jan'y 1844	Brown and Hargraves
43	Bedford Lawson H	Thos M Collins and Geo W Underhill	22 Oct'r 1840	550 00	No Attorney's	Receipt on file		
44	Blakemore C N	A J Neely and F B Reed	16 Oct'r 1839	700 00	22 Jan'y 1840	Trapnall & Cocke	21 March 1840	Blakemore, Neeley and Reed
45	Biscoe Henry L	R A Watkins	1 Jan'y 1847	171 71	7 June 1849	D W Carroll	21 Dec'r 1849	Biscoe & Watkins
46	Burriss John	Thos B Hanley and W B Duncan	30 April 1842	200 00	26 Sept'r 1843	S H Hempstead	8 July 1844	Hanley and Duncan
47	Bugg John A	David Royster and C L Jeffries	16 April 1840	120 00	No Attorney's	Receipt on file	29 Sept'r 1841	Royster & Jeffries
48	Baylor Sophia M	Barnett Williams and Jno P Norman	1 May 1844	155 00	15 March 1845	S H Hempstead	30 April 1845	Williams & Norman
49	Bird James	Thos W Gray and S S Hall	5 June 1839	150 00	19 July 1839	Trapnall & Cocke	12 Sept'r 1839	Bird, Gray and Hall
50	Baldwin David J	Mortgage on Real Estate and notes	1 Jan'y 1851	5,038 87				
51	Byrd Wm J & R C	Mortgage on Real Estate	22 Nov'r 1844	13,365 00	7 April 1845	E L Johnson		
52	Brown John	John Collins and L H Goodrich	8 Jan'y 1850	10,000 00	19 March 1850	David W Carroll		
53	Bixby David	Sam'l Wilson and Wilson West	1 Feb'y 1850	50 00	2 April 1850	same		
54	Cummins Wm	Hardy Robinson and T T Williamson	14 Feb'y 1841	4,500 00	6 Oct'r 1843	S H Hempstead	26 Nov'r 1845	Bank
55	Cummins Wm	Albert Pike and James B Keatts	9 June 1841	400 00	6 Oct'r 1843	same	26 Nov'r 1845	Bank
56	Cummins Wm	Simeon Buckner and M Wright	22 May 1841	2,500 00	6 Oct'r 1843	same	26 Nov'r 1845	Bank
57	Cummins Wm	Ebenezer Cummins and W K Inglish	10 Dec'r 1841	403 33	19 Oct'r 1843	same	26 Nov'r 1845	Bank
58	Collins R D C	Edward Cross and James DeBaun	11 May 1842	325 00	19 Sept'r 1843	same	8 July 1844	Cross and DeBaun
59	Crease John H	Geo C Watkins and Thos W Newton	1 Oct'r 1849	1,700 00	9 Jan'y 1850	D W Carroll		
60	Crease John H	Lambert Reardon and Jno Wassell	11 Nov'r 1848	360 00	7 June 1849	same		
1	Chase Luther*	Albert Pike and Emzy Wilson	5 Dec'r 1845	2,175 00	7 June 1849	same		
2	Corp'n of Little Rock	Samuel G Trowbridge, Mayor	30 Nov'r 1848	500 00	24 Oct'r 1843	S H Hempstead	11 May 1846	Mayor and Aldermen of the City
3	Clements Benjamin	Henry F Shaw and Wm Cummins	29 May 1841	120 00	29 Sept'r 1843	same	8 July 1844	Shaw
4	Castling Joseph	R B Alexander,	10 April 1851	20 00				
5	Carter Geo W	Russell Welborn and J J Simmons	10 May 1841	400 00	28 Sept'r 1843	S H Hempstead	12 Jan'y 1844	Simmons
6	Comstock Jasper W	James Campbell and Eli Bently	1 Jan'y 1848	42 88	2 July 1849	D W Carroll		
7	Comstock Jasp W	James Campbell	1 April 1851	110 00				
8	Carr James	P J Pitman and E W Johnson	22 May 1841	250 00	28 Sept'r 1843	S H Hempstead	8 Jan'y 1844	Carr
9	Calvert Robert	Sterling H Tucker	28 Feb'y 1850	750 00		D W Carroll		
0	C[illegible] James*	A R Hockersmith and G W Rutherford	7 Sept'r 1845	130 00	24 Jan'y 1848	L R Lincoln	18 April 1844	Hockersmith & Rutherford
1	Clark James	A K Miller and A W Goodloe	4 June 1840	500 00			3 Jan'y 1844	Clark & Goodloe
2	Carrick Addison	Green B Hughes and E M Owen,	19 August 1841	160 00	29 Sept'r 1843	S H Hempstead	8 Jan'y 1844,	Hughes & Owen
3	Carter James	Thos Pack and A R Hockersmith	1 April 1851	33 00				
4	Clayton Wiley	Ezra M Owen and Geo W Rutherford	1 July 1844	90 00	13 April 1846	L R Lincoln		
5	Clayton Wiley	Ezra M Owen and A R Hockersmith	1 July 1844	50 00	13 April 1846	same		
6	Childress Robertson	P L Smith, J M Hicks and Richard Brazil	30 July 1839	450 00	22 Jan'y 1840	Trapnall & Cocke	2 Nov'r 1840	Hicks and Brazil
7	Conway Jas S	Elias N Conway, Val Sevier	30 May 1850	1,900 00	22 Sept'r 1850	D W Carroll		
8	Carrington Robt*	Richard Pryor and Henry C Boyd	1 Sept'r 1845	2,100 00	26 Sept'r 1845	Euclid L Johnson		
9	Cross Edward	Jno C Wilson, Morehead Wright and A H Sevier	18 April 1844	4,500 00	22 Oct'r 1844	S H Hempstead	28 Oct'r 1845	Cross, Wright and Sevier
0	Conway Wm B*	Geo Conway, R H Conway and B P Jett	1 March 1846	470 00	7 June 1849	David W Carroll		
1	Conway Wm H	Jesse Douglass and Geo Dooley	1 April 1844	675 00	22 Oct'r 1844	S H Hempstead	30 April 1845	Conway and Douglass
2	Crowell Ezra	James Calvert and Selden Tryon,	30 April 1841	1,200 00	26 Sept'r 1843	same	18 June 1846	Dismissed at cost of Bank
3	Clingman Alex B	B Richardson and James Williams	13 April 1844	90 00	19 Dec'r 1848	L R Lincoln		
4	Crow James R	Benj C Logan, J D McLaughlin,	3 Sept'r 1844	270 00	15 March 1845	S H Hempstead	28 Oct'r 1845	Logan & McLaughlin
	Crow & Pettijohn	John Crow	1 Feb'y 1851	70 00				
	Carson Charles	Jason H Carson and W B Hawkins	12 Dec'r 1839	350 00	22 Jan'y 1840	Trapnall & Cocke	1 Sept'r 1841	Dismissed
7	Curl Henry H	J J Thompson, A D Burriss, and M Tyer	26 June 1841	100 00	22 Dec'r 1843	John B Jackson		
8	Cotton John	David B Cotton and Thos J Isbell	23 Sept'r 1841	1,000 00	21 Sept'r 1843	S H Hempstead	18 June 1846	Dismissed at cost of Bank
9	Collins Thos M	Geo W Underhill and A Meinsinger	10 April 1842	600 00	21 Sept'r 1843	same	5 July 1844	Collins, Underhill and Meinsinger
0	Collins Brice A	W B Hay, J Martin and Ezra C Frisbie	9 Jan'y 1842	200 00	21 Sept'r 1843	same	5 July 1844	Frisbie
1	Calvert J D	Wiley Lewis, C N Blakemore, and David Spurlock,	20 August 1838	1,000 00	21 March 1839	Trapnall & Cocke	7 Sept'r 1839	Calvert, Lewis and Spurlock
	Calvert J D	Wiley Lewis and David Spurlock	1 Nov'r 1838	270 00	21 March 1839	same	7 Sept'r 1839	Calvert, Lewis and Spurlock
	Cherry Wm P	Wiley Lewis and David Spurlock	13 May 1840	120 00	No Attorney's	Receipt on file	27 Sept'r 1841	Lewis & Spurlock
	Collins Wm W	Wm Jenkins and A M Goodloe	9 Feb'y 1847	2,200 00	7 June 1849	D W Carroll	23 July 1850	Collins,
	Clark John	Albert Pike and C P Bertrand	1 Sept'r 1844	380 00	13 April 1843	L R Lincoln		
	Carter Robt S	T T Tunstall and J M Tunstall	16 August 1842	800 00	26 Sept'r 1843	S H Hempstead	8 July 1844	Carter, and J M Tunstall
7	Coster & Harvick	Wm Harvick and James Duncan	1 Oct'r 1850	121 35				
	Cornelius Henry	J C Cornelius	20 May 1851	70 00				
	Carroll David W	Pierce B Gracie	1 June 1851	520 00				
	Campbell James	Jasper W Comstock and Eli Bentley	1 Jan'y 1850	85 00				
	DeBaun James	Julian Imbeau and Geo Waring	27 June 1844	450 00	20 April 1846	L R Lincoln	20 April 1847	DeBaun and Waring
	Dawdy Wm A	Thomas Pack and Wm White	27 March 1841	90 00	29 Sept'r 1843	S H Hempstead	19 Dec'r 1843	Dawdy
	Dawdy Wm A	J H Barkaloo and E H Lightfoot	17 August 1841	315 00	29 Sept'r 1843	same	8 July 1844	Dawdy
	Duncan William	Wm S Lockert and John C Marler	26 August 1841	160 00	29 Sept'r 1843	same	27 Oct'r 1845	Bank

[A.]

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the Note; the Principal and Security to the same; when due; the amount of Note or Bill; when placed in the hands of Bank Attorney for suit; name of
was executed; amount of Debt or Credit on the Ledger; date of such Dr. or Cr.; discount due individuals on notes not due 1st Octo, 1850; interest due
Lost; amount on which Principal was released by taking the benefit of the Bankrupt Law; and date of filing petition for the benefit of the Bankrupt Law.

County in which principal resided when note was executed to the Bank.	Amount on Ledger to the credit of individuals—being payments for renewal, &c., &c.	Amount on Ledger to the Debit of individuals—being amount of short payments on renewal, &c.	Date of Credit or Debtor.	Amount of Discount, due to individuals on notes not due on 1st October, 1850.	Amount of Interest due on Notes, on 1st Oct. 1850.	Amount of principal and interest due 1st Oct., 1850, including the Cr. or Dr. on Ledger.	Amount supposed to be Solvent, 1st October, 1850.	Amount supposed to be Doubtful, 1st October, 1850.	Amount supposed to be Insolvent 1st October, 1850.	Amount supposed to be Lost, 1st October, 1850.	Amount on which principal was released by taking the benefit of the Bankrupt Law.	Date of filing petition for the benefit of Bankrupt Law.	REMARKS.	
Pulaski	$	$		$	$ 688 44	$ 1,688 44	$	$	$1,688 44	$	$		Wilson is gone to Texas, and Anthony is Insolvent.	1
Pulaski	510 00		1 Oct'r 1843			185 71		185 71						2
Pulaski				24 88		2,108 10	2,108 12							3
Ouachita				5 91		124 09	124 09							4
Pulaski					38 70	188 70	188 70							5
Pulaski					1 33	401 33	401 33							6
Saline		6 32	11 March 1848	11 46		344 86	344 86							7
Pulaski	11 28		6 Jan'y 1842		183 75	422 47			422 47		422 47	14 Jan'y 1843,		8
Pulaski					406 80	1,006 80				1,006 80	1,006 80	14 Jan'y 1843,		9
Pulaski					326 69	751 69			751 69		751 69	18 Feb'y 1843,		10
Conway					230 16	530 16			530 16		530 16	19 Dec'r 1842,		11
Conway					188 44	438 44				438 44	438 44	19 Dec'r 1842,		12
Conway					681 60	1,581 60			1,581 60		1,581 60	19 Dec'r 1842,		13
Dallas				52 28		4,429 26	4,429 26							14
Pulaski					60 52	145 52			145 52					15
Pulaski	272 10		Jan. '47 Mar. '48		62 72	527 72	427 72						Judgment before J. D. Fitzgerald, J. P., City of Little Rock, $465 00 Principal due, 23d January, 1849, after deducting the payment made.	16
Pulaski				89 87		3,521 38	3,521 30							17
Conway					204 48	474 48			474 48					18
Saline					27 93	67 93				67 93			The Statute of Limitation was successfully plead by the defendants.	19
Saline	54 75		1 Nov'r 1841		182 38	522 38			522 38					20
Saline					273 68	633 68			633 68					21
Saline					342 20	792 20			792 20					22
Saline	98 37		8 August 1842		271 41	811 41			811 41				Lockert & Duncan released by Bankrupt Act. Hughes notified the Bank to sue on 18th May, 1842. She failed to do it, and Hughes released.	23
Hempstead	962 50		1 May 1850			305 35	305 35							24
Hempstead	171 13		4 August 1848			324 57	324 57							25
Hempstead	330 30		Jan. & July '47			738 90	738 90							26
Hempstead	3 25		16 July 1847	10 26		186 59	186 49							27
Sevier					452 50	1,202 50		1,202 50						28
Sevier	674 16		23 August 1847		197 16	833 46		833 16					Stone paid one half the Principal and Interest on this note, 23d August, 1847. Interest calculated on the other half.	29
Clark		12 50	13 June 1840		2,242 52	4,992 02			4,992 02				This note was originally $6,000. Reardon paid $3,264 Principal, in consideration of which the Bank covenanted not to sue on the residue, or on note No. 4,712, for $3,500.	30
Clark					2,619 55	6,119 55		6,119 55						31
Clark		6 84	14 April 1845		576 00	2,182 84	2,182 84						Buckner is dead. Estate Insolvent.	32
Clark	2 23		26 July 1848	1 75		46 02	46 02						In consequence of the Bank covenanting wit L. J. Reardon, and not suing him jointly with Bozeman as security, Bozeman has filed a bill in Chancery to avoid the payment of the debt. Suit not pending.	33
Sevier	100 00		24 August 1847		167 60	717 00	717 60							34
St Francis					111 60	256 60				256 60			A portion of this debt was collected by the Sheriff of Sevier county and taken in execution by J. M. Curran, to satisfy judgments vs. the bank.	35
St Francis					423 21	973 13				973 13				36
St Francis					446 00	1,646 00				1,046 00				37
St Francis					444 66	1,044 66			1,044 66					38
Phillips					423 13	973 13				973 13				39
St Francis					291 60	651 60				651 60			This note was barred by the Statute before it was placed in the hands of the Attorney.	40
St Francis	7 77		12 Oct'r 1840		301 56	693 79			693 79					41
St Francis					415 89	955 80			955 80					42
Crittenden	260 00		20 Jan'y 1842		34 96	584 96				584 96			The writ issued in this case was quashed, 22d Sept., 1841. Suit never revived, and debt thereby lost. Parties good.	43
Crittenden					613 67	1,313 67			1,313 67				Blakemore not found on tax book, Neely insolvent. Reed's property in 1850, assessed at $6,000. Doubtful.	44
Phillips					51 51	223 22	223 22							45
Phillips					134 67	334 67			334 67					46
Ft Gibson, CN.	93 56		16 Oct'r 1842			80 65			80 67					47
Ft Gibson, CN.					130 90	385 90			385 90					48
Pulaski					135 83	285 83			285 83					49
Pulaski				88 18		4,950 69	4,950 69							50
Pulaski		3,195 38	June '45. Feb '45		6,260 76	22,820 76		22,820 76						51
Pulaski	1,195 00		2 April 1849			9,251 88	9,251 88							52
Clark		12	17 March 1848		2 67	52 70	52 79						On the 23d day of March, 1841, the Bank took a mortgage, or Deed of Trust from Mr. Cummins, to secure the payment of these notes, and agreed, in consideration of such mortgage, to extend the time of payment, to Dec., 1841, without the consent of the securities; by which they were all released upon the trial. The Bank has not been able to recover anything on the mortgage. Debt lost.	53
Pulaski	389 50		23 March 1842		2,076 50	7.576 50				7,576 50				54
Pulaski					297 86	697 86				697 86				55
Pulaski					1,771 10	4,371 10				4,371 10				56
Pulaski					284 11	687 44				687 44				57
Pulaski		288 32	1 Sept'r 1841		244 03	857 35		569 03		288 32				58
Saline					136 00	1,836 00	1,836 00						These two notes were renewed and consolidated by Mr. Crease, on the 1st October, 1850. $500, paid to Mr. Carroll, Bank Attorney.	59
Saline			540 12 Aug. '46		25 52	385 52	385 52							60
Pulaski	875 14		335 02 Oc. '48			1,718 47	1,718 47						At July Term, 1847, the Supreme Court reversed this Judgment, on technical grounds. Debt thereby lost.	61
Pulaski					313 40	813 40				813 40				62
Pulaski	18 18		1 June 1841		57 84	177 84			177 84		177 84	10 Feb'y 1843,		63
Pulaski				74		19 29	19 29							64
Conway					268 43	668 43			668 43					65
Conway					6 00	48 88	48 88							66
Conway				3 85		106 15	106 15							67
Conway					187 11	437 11			437 11					68
Saline	100 00		28 Jan'y 1850		30 33	683 33	683 33							
Saline					52 66	182 66	182 66							
Chicot					412 89	912 89			912 89				This note is not included in the assets turned over to me; but by the books it appears to be due the Bank.	71
Saline					116 65	276 65	276 65							72
Saline				1 16		31 84	31 84							73
Saline					45 00	135 00		135 00					Lincoln, as Bank Attorney, is responsible for this debt, as he suffered the note to remain in his hands without suit, till barred.	74
Saline					25 00	75 00		75 00					Lincoln, as Bank Attorney, is responsible for this debt, as he suffered the note to remain in his hands without suit, until it was barred.	75
Saline	71 30		30 July 1839		328 30	707 00				707 00				76
Lafayette					50 66	1,950 66	1,950 66							77
Hempstead					954 00	3,054 00		3,054 00						78
Hempstead	3,585 00		various			2,328 37	2,328 37							79
Independence	130 00		5 March 1847		15 84	485 84		485 84						80
Hempstead		1 15	27 June 1843		351 00	1,027 15			1,027 15					81
Pike					904 00	2,104 00				2,104 00				82
Clark	49 62		13 Sept'r 1845			70 95		70 95						83
Clark	61		1 Oct'r 1843		130 31	400 31		400 31						84
Clark		1 44	1 Jan'y 1850	1 63		69 81	69 81							85
Sevier	60 00		5 March 1840		199 45	549 45				549 45				86
St Francis	55		23 Dec'r 1840		73 03	173 03			173 03					87
St Francis					721 56	1,721 56				1,721 56				88
Crittenden	314 89		various.		75 62	675 62	675 62							89
Crittenden	46		12 July 1841		138 81	338 81			338 81					90
Crittenden	170 56		9 Nov'r 1838		650 98	1,650 98			1,650 98					91
Crittenden					257 40	527 40			527 40					92
Crittenden	15 00		1 May 1849		72 20	192 20			192 20					93
Chicot					640 93	2,840 93	2,840 93							94
Chicot					184 93	564 93		564 93					Clark died insolvent. Securities are good, but they have filed a bill in Chancery to avoid the payment, consequently the debt is doubtful,	95
Pulaski	1 20		3 August 1840		517 84	1,317,84			1,317 84					96
Monroe		30	4 Oct'r 1849			121 65	121 65							97
Hot Spring				3 16		66 84	66 84							98
Pulaski				24 26		495 74	495 74							99
Conway	22 52		6 April 1850			66 79	66 79							100
Pulaski					225 30	675 30			675 30					101
Pulaski					68 47	158 47			158 47				Judgment rendered before J. D. Fitzgerald, Esq., City of Little Rock.	102
Pulaski					229 81	544 81			544 81				Barkaloo and Lightfoot are Bankrupt. Dawdy has left the State, and was insolvent.	103
Saline	15 34		30 August 1841		89 93	249 93				249 93	249 93	8 July 1842,		104

	PRINCIPAL ON NOTE.	SECURITIES, OR ENDORSERS ON NOTE.	Note, when due.	Amount of Notes.	When placed in Bank Attorney's hands for suit, and date of his receipt.	Name of Bank Attorney.	Date of Judgment.	Names of the parties against whom Judgment was rendered.
105	Dawson Henry T	Robert Calvert, and James Moore	13 July 1845	380 00	7 June 1849	D W Carroll	23 Jan'y 1850	Dawson, Calvert and Moore
106	Dorriss James	Joseph Gray and Thomas C Hudson	1 Jan'y 1843	60 00	28 Sept'r 1843	S H Hempstead		
107	Duncan Benj S	James W Smith and H Flanagin	6 April 1850	225 00	9 August 1850	D W Carroll		
108	Duval Lewis	Elijah Tollett and David Foran	27 July 1845	95 00	24 Jan'y 1848	L L Lincoln	18 April 1848	Duval, Tollett and Foran
109	Dorriss Bennett M	J J Thompson and Wm Strong	19 April 1841	959 25	21 Sept'r 1843	S H Hempstead	18 June 1846	Dismissed at cost of Bank
110	Downs Zachariah	Mark W Izard and David Wood	17 June 1842	80 38	22 Dec'r 1843	John B Jackson		
111	Davies Anthony H	Wm H Gaines and Benj P Gaines	25 Nov'r 1850	3,250 00				
112	Dunn James	T Landsdale, J S Burks, H H Curl, and A A Luckie	6 Nov'r 1839	700 00	22 Jan'y 1840	Trapnal & Cocke	9 Nov. 1840	Dunn, Lansdale and Curl
113	Danley James M	Jared C Martin	19 March 1850	2,805 38	3 June 1850	D W Carroll		
114	Danley James M	Jared C Martin and Wm Pelham	1 April 1846	444 00	9 March 1849	L R Lincoln	29 June 1849	Danley, Martin and Pelham
115	Eastman Moses H	Robert W Johnson and T D Merrick	4 April 1850	140 00	3 June 1850	D W Carroll		
116	Emerson Sam'l A	Sam Floyd and Geo C Miller	1 Oct'r 1842	375 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Emerson, Floyd and Miller
117	Etter Wm H	Henry P Johnson and Geo O Britt	9 May 1851	50 00				
118	Elkins Joshua	Wm Elkins and Hugh Floyd	18 April 1848	90 00	7 June 1849	D W Carroll		
119	Elkins William	Joshua Elkins and Hugh Floyd	1 Feb'y 1849	240 00	7 June 1849	same	21 Dec'r 1849	Elkins, Elkins and Floyd
120	Ellis Ralph	A D Burriss, J J Thompson and Wm Strong	15 May 1841	500 00	21 Sept'r 1843	S H Hempstead	18 June 1846,	Dismissed at cost of Bank
121	Elliott Wright W	Elliott H Fletcher and Wm C Trice	20 June 1840	700 00			27 Sept'r 1841	Elliott & Trice
122	Elliott Wright W	Thomas M Collins and Wm C Trice	2 Oct'r 1840	650 00			27 Sept'r 1841	Elliott, Collins and Trice
123	Eldrige John	Elliott H Fletcher and Wm D Ferguson	14 April 1841	550 00	21 Sept'r 1843	S H Hempstead	28 Oct'r 1846	Ethridge, Fletcher and Ferguson
124	Ennis William	Wm Goodrich, L C Howel, and Abr. Clark	6 March 1842	400 00	26 Sept'r 1843	same	8 July 1844	Goodrich
125	Edmiston Robert	John Wilson and R A Walker	1 May 1849	100 00	2 July 1849	D W Carroll		
126	English E H	Benj F Danley and L Chase	21 Jan'y 1851	161 09				
127	Field William	Charles Rapley and James Pitcher	16 May 1842	900 00	24 Oct'r 1843	S H Hempstead	11 Jan'y 1844	Bank
128	Field William*	Charles Rapley and Benj Johnson	1 April 1845	4,450 00	7 June 1849	D W Carroll		
129	Field William*	James Lawson, jr. and John W Cocke	1 April 1845	350 00	7 June 1849	same		
130	Fowler Absolom	Albert Pike and Thomas W Newton	27 July 1844	4,850 00	13 April 1846	L R Lincoln	16 Nov'r 1846	Fowler, Pike and Newton
131	Finley Alexander	James Danley and Ab. Fowler	14 Sept'r 1840	425 00	24 Novt'r 1840	Trapnall & Cocke	10 March 1841	Finley, Danley and Fowler
132	Finn Robt F	David Royster and W S Lockert	25 March 1841	130 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Finn and Royster
133	Ferguson Moses	A H Ferguson and Wm Sanders	15 July 1850	40 00	22 Sept'r 1850	D W Carroll		
134	Ford Zadoc	Israel Morris and W W Stevenson	17 August 1841	270 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Stevenson
135	Fairhurst James	Nimrod Menifee and Chs. James	19 April 1842	130 00	28 Sept'r 1843	same	8 Jan'y 1844	Fairhurst & James
136	Fort Lewis B	J N Wilson and Wilson N Fort	1 Feb'ry 1851	320 00				
137	Field John	T M R Bankhead and W L Cook	12 May 1841	270 00			20 June 1843	Field & Bankhead
138	Field John	Bernard F Hempstead	6 April 1850	5,151 00	9 August 1850	D W Carroll		
139	Foran David	James P Milwee and T M Foran	7 July 1846	260 00	7 June 1849	same	21 Dec'r 1849	Foran, Milwee and Foran
140	Flanagin John	Wm Strong and Isaac Mitchell	24 May 1841	300 00	21 Sept'r 1843	S H Hempstead	18 June 1844	Dismissed at cost of Bank
141	Franks Chesley	Mark W Izard and Wm D Franks	15 May 1843	240 00	21 Sept'r 1843	same	4 Jan'y 1844	Izard, W D Franks
142	Ferguson Wm D	A J Greer and Brice A Collins	4 Nov'r 1841	450 00	21 Sept'r 1843	same	5 July 1844	Ferguson & Collins
143	Ferguson Wm D	Francis B Reed, Geo Redman and Wiley Lews,	7 August 1841	4,450 00	21 Sept'r 1843	same	15 May 1844	Ferguson, Reed and Lewis
144	Fletcher Elliott H	John Thorn and John Ethridge	25 April 1841	450 00	21 Sept'r 1843	same	5 July 1844	Fletcher
145	Fletcher Elliott H	Wm L Ward and Elliott Hickman	21 Oct'r 1842	550 00	21 Sept'r 1843	same	5 July 1844	Fletcher, Ward and Hickman
146	Finley Wm M	Jesse J Finley and Geo W Underhill	20 Oct'r 1844	220 00	15 March 1845	same	28 Oct'r 1845	Underhill
147	Fleenor Abraham	Wm C Thompson and Thos W Stayton	20 March 1842	90 00	22 Dec'r 1843	John B Jackson		
148	Faulkner Sandford C	Nicholas Faulkner and Albert W Webb	15 Sept'r 1847	4,488 00	7 June 1849	D W Carroll	29 July 1850	Faulkner S C., and Webb
149	Gilchrist William	Sam'l Mitchell and Jesse B Mitchell	1 June 1844	2,500 00	15 March 1845	S H Hempstead	25 Nov'r 1845	Mitchell & Mitchell
150	Greer David B	Robt W Johnson and Sam'l Adams	1 April 1844	450 00	15 March 1845	same	4 June 1845	Greer, Johnson and Adams
151	~~Gaines Nath'l T~~	~~James Pitcher and Fred W Trapnall~~	~~1 April 1845~~	~~200 00~~	~~24 Jan'y 1848~~	~~L R Lincoln~~	~~25 April 1848~~	~~Gaines & Trapnall~~
152	Gullett Benj F	Hamilton Reynolds and P McCraw	1 April 1847	300 00	9 August 1850	D W Carroll		
153	Glass & Headington	Stephen Fagan and Sim Buckner	20 May 1840	180 00	July 1840	Trapnall & Cocke	14 Nov' 1840	Glass, Headington and Buckner,
154	Gray Thos W*	Francis Secrest and P McCraw	1 April 1845	240 00	24 Jan'y 1848	L R Lincoln		
155	Gaines Wm H	Benj P Gaines	22 May 1851	1,738 75				
156	Galloway Jas B	Richard C Byrd and David W Galloway	9 Sept'r 1841	1,750 00	19 Oct'r 1843	S H Hempstead	8 July 1844	Byrd
157	Graves Thomas*	Green B Hughes and James Moore	3 July 1845	33 00	24 Jan'y 1848	L R Lincoln	22 Sept'r 1849	Graves, Hughes and Moore
158	Green George S	Thos Keesee, jr. and Gideon Keesee	1 Jan'y 1851	195 00				
159	Gray Samuel	Joel D Conway and G M Gray	1 May 1849	280 00	2 July 1849	D W Carroll	21 Dec'r 1849	Gray, Conway and Gray
160	Giles James	Jason C Wilson and Morgan Cryer	29 Oct'r 1840	550 00				
161	Greer And. J	Elliott H Fletcher, John Thorn	30 Oct'r 1840	950 00	21 Sept'r 1843	S H Hempstead	4 Jan'y 1844	Thorn
162	Greer And. J	John Clark, G W Underhill and P H Swain	3 May 1841	300 00	21 Sept'r 1843	same	5 July 1844	Underhill
163	Goodwin Leroy	Andrew J Greer and A Meinsinger	16 May 1842	270 00	21 Sept'r 1843	same	6 July 1844	Meinsinger
164	Grose James C	Peter German and Aaron Yale	11 Nov'r 1841	200 00	26 Sept'r 1843	same	18 June 1846	Dismissed at cost of Bank
165	Howard Isaac J	J J Clendennin and Geo C Watkins	1 April 1851	900 00				
166	Humphries John	C R Brown, Jos Kniffin, J M Dodd	8 Jan'y 1849	640 00				
167	Hill Middleton H	Wm K Inglish and Wm White	9 April 1842	45 00	29 Sept'r 1843	same	21 Dec'r 1843	Hill & Inglish
168	Hill Middleton H	Hardy Jones and Wm White	1 May 1842	60 00	29 Sept'r 1843	same	23 Dec'r 1843	Hill & Jones
169	Howel Thos J	Jesse Brown and Wm R Gibson	3 August 1842	500 00	29 Sept'r 1843	same	9 Jan'y 1844	Howel & Brown
170	Hutchings Jas A	Sidney Blackburn and Wm Brown, Sr.	9 Oct'r 1841	140 00	29 Sept'r 1843	same	8 July 1844	Hutchings, Blackburn and Brown,
171	Hutt Andr J	J M Curran, E Cummins and J C Peay	24 Dec'r 1849	1,550 00	19 March 1850	D W Carroll		
172	Henderson A C	Benj Clements and H F Shaw	8 May 1841	95 00	29 Sept'r 1843	S H Hempstead	19 Dec'r 1843	Clements & Shaw
173	Higgins Alvadore K	H H Higgins, N Menifee, N Phillips	25 March 1842	150 00	29 Sept'r 1843	same	9 Jan'y 1844	Higgins & Higgins
174	Higgins Harrison H	A K Higgins, D D Mason and E Morrill	17 Feb'y 1842	600 00	28 Sept'r 1843	same	9 Jan'y 1844	Higgins, Higgins, Mason and Morrill
175	Higgins Harrison H	A K Higgins, B B Ball and T L Shafer	15 March 1842	240 00	28 Sept'r 1843	same	9 July 1844	H H Higgins
176	Hughes Green B	A R Hockersmith and Thomas Pack	1 Feb'y 1850	2,400 00	2 April 1850	D W Carroll		
177	Hughes Green B	Geo C Watkins, A R Hockersmith and Thos Pack	1 Sept'r 1850	1,200 00				
178	Hockersmith A R	Green B Hughes and Thos Pack	1 Feb'y 1848	800 00	7 June 1849	same	3 Jan'y 1850	Hockersmith, Hughes and Pack
179	Hockersmith A R	Green B Hughes and Thos Pack	1 Feb'y 1848	360 00	7 June 1849	same	3 Jan'y 1850	Hockersmith, Hughes and Pack
180	Hooper Elias	Wm Calvert and Ezra M Owen	6 April 1841	200 00	29 Sept'r 1843	S H Hempstead	8 Jan'y 1844	Hooper, Calvert and Owen
181	Hooper Elias	Ardin Pelton and Ashley B Bates	24 August 1841	270 00	29 Sept'r 1843	same	8 Jan'y 1844	Hooper, Pelton and Bates
182	Hannah Joel W	John Shepperson and Geo C Hannah	1 Jan'y 1851	260 00				
183	Hopkins Francis	Geo O Britt and Wm H Etter	1 Jan'y 1851	65 00				
184	Hudson Thos C	James Dorriss and Joseph Gray	7 Dec'r 1842	225 00	28 Sept'r 1843	same	6 Jan'y 1844	Hudson & Dorriss
185	Hudson Thos C	James Dorriss and Joseph Gray,	10 April 1843	350 00	28 Sept'r 1843	same	8 Jan'y 1844	Hudson, Dorriss and Gray
186	Herndon Fleetwood,	Wm Winn and L B Fort	24 April 1850	300 00				
187	Hawkins Wm B.	John J Carson and Wm Cummins,	15 Dec'r 1841	100 00	26 Sept'r 1843	same		
188	Hudspeth Chas M	J H Reed, Thos J Sutton and J R Barkaloo	13 August 1840	650 00			6 May 1842	Hudspeth, Sutton, Reed and Barkalo
189	Hanger Peter,	No Security	2 April 1848	534 66	1 May 1849	D W Carroll		
190	Hunter Sanders	James S Dorriss and J Holbert	14 Oct'r 1840	75 00	22 Dec'r 1843	James B Jackson		
191	Holbert John	James S Dorriss and Wm King	5 June 1840	90 00	22 Dec'r 1843	same		
192	Hay Wm B	Rawlah Holson and Leroy Goodwin	4 Dec'r 1841	285 00			3 Nov'r 1845	Holson,
193	Hubbird A B	A S Bell anp J A Alexander	12 Dec'r 1849	145 00	23 Feb'y 1850	D W Carroll	23 July 1850	Hubbard, Bell and Alexander
194	Harvick Wm	J J Cowart and B F Gullett	12 Feb'y 1851	50 00				
195	Hampton Daniel W	Benj P Gaines and Wm W Rose	7 May 1842	430 00	6 Oct'r 1843	S H Hempstead	9 Jan'y 1844	Hampton, Gaines and Rose
196	Holson Raleigh*	Thos H Rives and Wm J Neale	1 Sept'r 1845	200 00	7 June 1849	D W Carroll	1 August 1850	Holson
197	Higgins Wm F	N H Izard, and Moses Trimble	29 Feb'r 1839	450 00	19 July 1839	Trapnall & Cocke	13 Sept'r 1839	Higgins, Izard and Trimble
198	Harrison John	Philip Costar and Wm Brickey	12 Feb'y 1840	140 00	July 1840	same	14 Nov'r 1840	Costar
199	Hughes James	John Blocker and W H Preston	1 May 1846	500 00	24 Jan'y 1848	L R Lincoln	2 Nov'r 1848	Blocker & Preston
200	Hardy H K	Jacob Barkman and J C M Barkman	1 Jan'y 1849	600 00	7 June 1849	D W Carroll	29 Jan'y 1850	Hardy, Barkman and Barkman
201	Inglish Wm K	Lorenzo Gibson and Wm R Gibson	18 Jan'y 1842	250 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Inglish & Gibson
202	Izard N H	Wm M Fulkerson and W. Martin	16 April 1839	800 00	19 July 1839	Trapnall & Cocke	3 Sept'r 1839	Izard, Fulkerson and Martin
203	Imbeau Julian*	James DeBaun and Geo Waring	27 June 1844	270 00	7 Sept'r 1846	L R Lincoln	20 April 1847	DeBaun & Waring
204	Johnson John W	James Pitcher and Geo C Watkins	10 May 1841	2,000 00	29 Sept'r 1843	S H Hempstead	11 May 1846	Johnson & Pitcher
205	J E L & J A Simpson	Sandford C Faulkner and Wm P. Reyburn	31 July 1841	1,500 00	29 Sept'r 1843		8 July 1844	Johnson, Simpson, Faulkner, Reybur
206	Johnson G V C	P M Bush, Eli Lewis, and John C Johnson	24 Nov'r 1841	600 00	29 Sept'r 1843		8 July 1844	G V C Johnson and Lewis
207	Jeffries Chas L	Wood Tucker and Wm Gilchrist	5 June 1841	275 00	24 Jan'y 1848	L R Lincoln		
208	Johnson Euclid L	Wm P Reyburn and Elias Rector	6 April 1841	450 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Johnson & Rector
209	Joiner Johnson J*	Ezra M Owen and Thos Pack	1 April 1845	525 00	24 Jan'y 1848	L R Lincoln	26 Oct'r 1848	Joiner, Owen and Pack
210	Jett James P	Wm H Etter and B F Hempstead	20 May 1846	135 00	19 Dec'r 1848	same	24 June 1849	Jett, Etter, and Hempstead
211	Johnson John C	A A Brown, J J Thompson, J Flanagin, P W Gilbert	16 July 1841	1,500 00	Jan'y 1842	Tolleson, by Bertrand, Agent.		
212	Johnson John C	A A Brown, and P W Gilbert	6 Oct'r 1841	1,500 00	Jan'y 1844	same same		

[A] Continued.

County in which principal resided, when note was executed to the Bank.	Amount on Ledger to the credit of individuals–being amount of short pay ment for renewal, &c., &c.	Amount on Ledger to the Debit of individuals–being amount of short payment on renewal, &c., &c.	Date of Credit or Debt.	Amount of Discount due to individuals on notes not due on 1st October, 1850.	Amount of Interest due on notes, on 1st October, 1850.	Amount of principal and interest due 1st Oct., 1850, including the Cr. or Dr. on Ledger.	Amount supposed to be Solvent, 1st October, 1850.	Amount supposed to be Doubtful 1st October, 1850.	Amount supposed to be insolvent, 1st October, 1850.	Amount supposed to be Lost, 1st October, 1850.	Amount on which Principal was released by taking the benefit of the Bankrupt Law.	Date of filing petition for the benefit of Bankrupt Law.	REMARKS.	
Saline	$ 345 63	$	various,	$	$	$ 155 90	$ 155 90	$	$	$				105
Clark					37 20	97 20			97 20					106
Clark		10			8 70	233 80	233 80							107
Sevier		70			39 35	135 05	135 05							108
St. Francis					724 98	1,684 23				1,684 23				109
St. Francis					53 02	133 02								110
Chicot				34 75		3,215 25	3,215 25	133 02						111
St. Francis					610 40	1,310 40			1,310 40					112
Pulaski						2,925 06	2,925 06							113
Pulaski	566 66	8 06	30 April 1850		119 68	23 08	23 08							114
Pulaski						153 54	153 54							115
Hot Spring	532 45		1845 and 1850		5 48	32 75	32 75							116
Hempstead				2 14		47 86	47 86							117
Clark	17 20		14 Feb'y 1848			87 04	87 04							118
Clark		6 54	16 March 1847			278 54	278 54							119
St. Francis	10 14		17 Feb'y 1842		32 00	864 86				864 86				120
Crittenden					364 86	1,275 56			1,275 56					121
Crittenden					57[illegible] 5[illegible]	1,169 86			1,169 86					122
Mississippi					519 86	966 16			966 16					123
Pope					416 16	674 13			674 13					124
Pope	39 42		13 July 1849		274 13	67 78	67 78							125
Pulaski				3 46		157 63	157 63							126
Pulaski						1,502 80				1,502 80			Field claimed and recovered the amount of this note for services rendered the Bank in New York. It should not be counted as assets, but is charged to me.	127
Pulaski	3,275 00		various		602 80	2,650 10		2,650 10						128
Pulaski						504 00		504 00						129
Pulaski	1,462 33		1847 and 1848		154 00	5,758 14	5,758 14							130
Pulaski	209 50		14 Oct'r 1842		908 14	383 26			383 26				On 14th October, 1842, Fowler paid $212 50—half of the debt, without interest. Finley owes $3 for protest, which, being deducted, leaves $209 50. Interest is calculated on $212 50, being residue of debt. Danley died insolvent. Fowler refuses to pay balance, and it is doubtful whether it can be made by law.	131
Pulaski	14 27		29 March 1841		69 18	199 18			199 18					132
Prairie					80 00	40 80	40 80							133
Pulaski					196 98	466 98			466 98					134
Conway				7 47	87 85	217 85			217 85					135
Lafayette			4 Feb'y 1850			312 93	312 93							136
Hempstead	166 50		26 Nov'r 1847		30 30	300 30	300 30							137
Hempstead					5 24	156 24	156 24							138
Sevier	73 66		23 Nov'r 1847		2 80	262 80	262 80	377 62		524 40				139
St. Francis					224 40	524 40			770 60					140
St. Francis	2 50		21 Nov'r 1842		140 12	377 62			7,406 05					141
Crittenden					320 60	770 60		672 26						142
Crittenden	295 36		28 May 1850		2,956 05	7,406 05		899 43						143
Mississippi	97 56		15 Dec'r 1842		222 26	672 26		324 63						144
Mississippi					349 43	899 43		151 40						145
Mississippi					104 63	324 63								146
Phillips					61 40	151 40								147
Chicot	1 37		14 Nov'r 1846		1,256 64	5,744 64	5,744 64							148
Pulaski	993 31		7 March 1850		256 69	2,756 69	2.756 69							149
Pulaski	218 30		1 Jan'y 1850		11 84	461 84	461 84							150
Pulaski	93 70		15 August 1850			494 22	194 22							151
Prairie	140 60		6 June 1849			234 00	234 00	345 60					~~This note was renewed by payments to 6th June,~~ 1850.	152
Pulaski	16 05		24 May 1840		119 78	299 78			299 78					153
Pulaski					105 60	345 60								154
Chicot	2 22		14 Nov'r 1848	73 52		1,663 01	1,662 01							
Pulaski	443 19		28 April 1843		853 96	2,603 96			2,603 69		2,603 96	11 Jan'y, 1843,	David W. Galloway is also a Bankrupt and R. C. Byrd is insolvent.	
Saline					13 84	46 84	46 84							
Saline				3 41		191 59	191 59	553 81					Judgment before John W. Shoppoch, J. P., Saline county.	
Hempstead					31 73	311 73	311 50							
Lafayette	275 00		29 July 1843		201 81	553 81		525 80		450 05			The Cr. here given to Giles, is standing to the Cr. of John Field, who from the best information I can get, collected it on this note.	
Crittenden	82 02		4 Nov'r 1840		612 38	1,562 38			1,502 38	292 52				
Crittenden					225 80	525 80								
Crittendeu	50		15 Nov'r 1841		180 05	450 05								
Jefferson	38 00		21 Jan'y 1843		92 52	292 52								
Pulaski				31 50		868 50	868 50							
White	326 60		May'49, Mar'50			340 03	340 03	100 40					Humphries has gone to California. The curtail and interest is regularly paid; and, under a written agreement, the note is not sued on.	
Pulaski					30 50	75 50			75 50		75 50	20 Feb'y, 1843,		
Pulaski					40 40	100 40					100 40	20 Feb'y, 1843,	Judgment rendered before J. D. Fitzgerald, Esq., J. P., city of Little Rock.	
Pulaski					326 33	826 33			826 33				Judgment rendered before J. D. Fitzgerald, Esq., J. P., city of Little Rock.	
Pulaski					100 52	240 52			240 52				Brown is dead. Howel has gone to parts unknown.	
Pulaski					90 93	1,640 93	1,640 93							
Pulaski					71 39	166 39			166 39					
Conway	3 78		22 Sept'r 1851		95 73	245 73			245 73				Judgment rendered before J. D. Fitzgerald, J. P., city of Little Rock.	
Conway					413 73	1,013 73			1.013 73					
Conway					164 00	404 00			504 00					
Saline					128 00	2,612 32	2,612 32							
Saline					8 00	1,208 00	1,208 00							
Saline		84 32				561 98	561 98							
Saline			29 April 1850		76 80	436 80	436 80							
Saline	400 00				151 74	351 74			351 74					
Saline					195 56	466 56			466 56					
Hempstead						254 64	254 64							
Hempstead	81		18 May 1850,	4 55		31 61	31 61							
Clark	32 25		various	1 14	128 26	353 26			353 26					
Clark	7 61		7 Dec'r 1842		209 23	559 23			559 23					
Lafayette		2 58				203 43	202 43							
Sevier	100 00		31 August 1850		70 33	172 91			172 91					
Crawford			11 Jan'y 1841		526 58	1.176 78			1,176 78					
Pulaski					81 80	616 46	616 46						Hanger has put in new note; but has not paid necessary curtail and interest.	
St. Francis,	24 00		25 May 1849		52 39	127 39			127 39				Hunter died insolvent. The money may have been collected by Jackson; if so, I presume it is lost. The note was barred by Statute, before it was put in Mr. Jackson' hands for suit.	
St. Francis,	4 10		2 June 1840		74 90	164 90			164 90			190		
Crittenden					201 64	486 64			486 64				Holbert is living in St. Francis county yet. The note was barred before it was put i Mr. Jackson's hands. I do not know whether he collected the money or not. It wa never paid into Bank.	
Crittenden					9 12	154 12	154 12					191		
Monroe						48 72	48 72						Mr. Hobbird sent me one half of a $50 State Bank, in March or April last, to pay on th Judgment, but has not sent the other half yet. Until that is received, I cannot give hi credit.	
Chicot				1 28	368 87	804 01	804 01					193		
Chicot		5 14	1 Dec'r 1841			153 93		153 93						
St. Francis	117 50		1847 and 1850		417 00	867 00			867 00					
Monroe					119 09	259 09			259 09					
Pike					176 67	676 67		676 67						
Clark					84 00	684 00	684 00							
Pulaski					164 00	444 00			414 00					
St. Francis					733 33	1,533 33			1,533 33					
Jefferson					135 19	405 19			405 19					
Pulaski					1,502 21	3,502 21				3,502 00			On 31st August, 1841, G. C. Watkins, notified Wm. Field, President of the Bank, bring suit, which he failed to do as required by law. Watkins was released on this pl and the debt thereby lost.	
Pulaski					1,100 00	2,600 00			2,600 00					
Pulaski					424 80	1,024 80			1,024 80					
Pulaski	213 00		8 Dec'r 1842			118 60				118 60	118 60	25 Feb'y, 1843,	This note remained in the hands of John H. Crease, as Financial Receiver, until it w barred by law. Balance of debt thereby lost.	
Pulaski					341 40	971 40			971 40					
Saline	375 00		1 Jan'y 1850			369 94	369 94							
Hempstead	40 25		3 Dec'r 1849		6 71	141 71	141 71							
St. Francis		4 50	26 June 1841		1,101 33	2,605 83			2 605 83					
St. Francis					1,078 00	2,578 00			2,578 00					

[A] Continued.

	PRINCIPAL ON NOTE.	SECURITIES, OR ENDORSERS ON NOTE.	Note, when due.	Amount of Notes.	When placed in Bank Attorney's hands for suit, and date of his receipt.	Name of Bank Attorney.	Date of Judgment.	Names of the parties against whom Judgment was rendered.	County in which principal resided, when note was executed to the Bank.	Amount on Ledger to the credit of individuals–being pay ment for re newal, &c., &c.	Amount on Ledger to the Debit of individuals being amount of short payment on renewal, &c., &c.	Date of Credit or Debit.	Amount of
213	James John R	Wright W Elliott and Wm Strong	5 Nov'r 1840	$ 550 00			27 Sept'r 1841	James, Elliot and Strong	St. Francis	$			$
214	James Joshua F	Wright W Elliott and Geo Redman	13 August 1840	560 00			27 Sept'r 1841	Elliott & Redman	Crittenden				
215	Johnson Joel	Benj Johnson and J J Johnson, jr	1 Sept'r 1846	6,200 00	2 July 1849	David W Carroll			Chicot	3,424 21		1 Jan'y 1849	
216	Johnson J. & B Williams	James Pitcher and Emzy Wilson	1 March 1844	200 00			3 Nov'r 1845	Johnson, Williams & Wilson	Chicot,	114 66		4 Jan'y 1846	
217	Johnson E L & B Williams	John W Cocke	1 April 1844	225 00	7 April 1845	E L Johnson	23 April 1847	Cocke	Pulaski				
218	Jackson James B	Freeman E Patrick and Wm H Patterson	12 Nov'r 1847	300 00	7 June 1849	David W Carroll	21 Dec'r 1849	Jackson, Patrick & Patterson	St. Francis				
219	Johnson William	Chas B Mitchell and C K Witter	1 Feb'y 1848	210 00	7 June 1849	same	21 Dec'r 1849	Johnson, Mitchell and Witter	Hempstead	30		6 March 1847	
220	Kennedy William	Gilbert C Kennedy and C W Elliott	22 August 1842	110 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	G C Kennedy and Elliott	Pulaski				
221	Keesee George	Robert Calvert	1 March 1849	150 00	7 June 1849	D W Carroll			Saline				
222	Kizzia Hiram	Ezra Crowell and Selden Tryon	13 April 1841	300 00	29 Sept'r 1843	S H Hempstead	18 June 1846	Dismissed at cost of Bank	Pike				
223	Kuykendall Peter	Wm Standlee	22 April 1851	170 00					Conway				
224	Levy Jonas	Wm E Woodruff and Geo Brodie	30 June 1850	400 00	22 Sept'r 1850	David W Carroll			Pulaski		43 00	30 June 1849	
225	Lincoln L R	D Marshand	1 April 1850	2,500 00	3 June 1850	D W Carroll			Pulaski		258 99	5 April 1849	
226	Lambert David	Wm Cummins and Simeon Buckner	26 July 1840	700 00			22 Sept'r 1842	Cummins & Buckner	Pulaski				
227	Lemoyne Geo W	James Campbell	28 Jan'y 1851	50 00					Conway		13 72	various.	
228	Leech Jacob	Finas Leech and Daniel Leech	1 April 1851	40 00					Saline				
229	Lindsey Joseph	Thos Fletcher and John H Robinson	1 Feb'y 1851	50 00					Saline				
230	Lockemay Wm	D C McDaniel and Geo S Green	1 April 1845	13 00	19 Dec'r 1848	L R Lincoln			Saline	2 09		30 August 1844	
231	Logan Benj C	Jacob W Logan and James S Ward	1 Sept'r 1849	80 00	9 Jan'y 1850	D W Carroll			Clark		15 46	29 Nov'r 1848	
232	Lackland Allen B	Robt S Tate and Willis S Smith	1 Sept'r 1846	115 00	7 June 1849	D W Carroll	21 Dec'r 1849	Lackland, Tate and Smith	Clark	26 15		27 May 1847	
233	Lewis Wiley	Wilson Thomas and David Spurlock	12 Nov'r 1840	276 00	21 Sept'r 1843	S H Hempstead	4 Jan'y 1844	Lewis, Thomas and Spurlock	Crittenden	34 90		23 Feb'y 1841	
234	Lacy Thos J	Albert Pike, A Fowler and G N Causin	24 Feb'y 1845	1,300 00	24 Jan'y 1848	L R Lincoln			Desha	279 79		23 Sept'r 1845	
235	Lenox John H	Jas W Felts and Geo W Stokes	7 May 1842	200 00	26 Sept'r 1843	S H Hempstead	8 July 1844	Stokes	Arkansas	10 00		13 May 1842	
236	Logan John	Walter F Scott and Geo W Jamison	16 Jan'y 1851	80 00					Pope	99		28 April 1849	1
237	Levy Jonas	Hyman Mitchell and J W Parker	30 June 1850	300 00	22 Sept'r 1850	D W Carroll			Pulaski				
238	McCurdy Sam'l M	Sam Miller and Wm Cummins	9 Oct'r 1841	140 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Sam Miller	Pulaski				
239	Mills James	Wm Mills and Basil Crawley	26 Feb'ry 1843	240 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Mills & Mills	Pulaski				
240	Mills William	Wm Ringstaff and J F Mills	1 April 1851	25 00					Pulaski				
241	McDonald Daniel	R C Byrd and Wm Brown, Sr.	12 April 1841	600 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Byrd & Brown	Pulaski	83 93		30 March 1841	
242	McDonald Daniel	R C Byrd and Wm Brown, Sr.	22 Oct'r 1841	640 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Byrd & Brown	Pulaski				
243	Menifee Nimrod	Thos S Haynes and R Welborn	10 Feb'y 1842	450 00	4 June 1842	Trapnall & Cocke	August 1842	Estate of N Menifee, dec'd, in Pro. court	Conway				
244	Menifee Nimrod	James Menifee and B F Howard	28 May 1842	400 00	4 June 1842	same	August 1842	Estate of N Menifee, dec'd, in Pro. court	Conway	503 99		21 Oct'r 1842	
245	Menifee Nimrod	Dudley D Mason and B F Howard	14 June 1842	1,300 00	4 June 1842	same	August 1842	Estate of N Menifee, dec'd, in Pro. court	Conway				
246	Montgomery Jas R	Thos S Haynes and And. G. Brent	1 Sept'r 1844	220 00	15 Sept'r 1845	S H Hempstead	4 June 1845	Haynes & Brent	Conway				
247	Menifee James	Josh J Lewis and Nimrod Menifee	20 June 1842	400 00	28 Sept'r 1843	S H Hempstead	8 July 1844	James Menifee	Conway				
248	Mason & Morrill	E J Morrill and James Holyfield	1 July 1850	65 00					Conway		2 30		
249	Murphy Benj	B B Ball and R J Blount	14 April 1841	400 00	28 Sept'r 1843	S H Hempstead	8 July 1844	Murphy	Conway	61 06		14 Jan'y 1842	
250	Mason Dillis V	Jas R Montgomery and R Welborn	22 Oct'r 1842	210 00	28 Sept'r 1843	same	12 Jan'y 1844	Bank	Conway				
251	Menifee & Phillips	Jas R Montgomery and R Welborn	1 Oct'r 1841	425 00	28 Sept'r 1843	same	12 Jan'y 1844	Bank	Conway				
252	Moreland Jeremiah	James Maddin and W W E Moreland	28 August 1844	520 00	15 March 1845	same			Johnson	2 85		25 Sept'r 1843	
253	Madden James	Jeremiah Moreland and Thos Maddin	28 August 1844	650 00	13 April 1846	L R Lincoln			Johnson	50		25 Sept'r 1843	
254	Moore James	Robert Calvert	1 Sept'r 1846	602 55	7 June 1849	D W Carroll			Saline	331 51		1 Jan'y 1850	
255	McDaniel David C	Geo H Cobb and Robert Calvert	1 Jan'y 1851	880 00					Saline		9 00	14 Jan'y 1850	11
256	McCarty Jarot	W S Lockert, Sam Nixon and Wm Duncan	18 Dec'r 1840	475 00					Saline	38 00		29 Dec'r 1842	
257	McCarty Jarot	W S Lockert, Jno C Marler, and Wm Duncan	7 Feb'y 1841	885 00	29 Sept', 1843	S H Hempstead	27 Oct'r 1845	Bank	Saline				
258	McHenry Sam'l C	Jonathan Irons and Jarot McCarty	10 Feb'r 1840	400 00	July 1840	Trapnall & Cocke	14 Nov'r 1840	McCarty	Conway				
259	Marler John C	Wm S Lockert and Wm Duncan	21 Feb'y 1841	95 00					Saline	8 20		25 Feb'y 1841	
260	Marler John C	Wm S Lockert and Wm M Scott	14 June 1841	390 00					Saline				
261	McLaughlin Jas L	Thos J McLaughlin, Wm Smart and Josh Elkins	1 April 1846	370 00	19 Dec'r 1848	L R Lincoln	5 June 1849	McLaughlin & McLaughlin	Clark				
262	McCargo Radford	Michael Bozeman and J F Browning	24 May 1842	240 00	28 Sept'r 1843	S H Hempstead	6 Jan'y 1844	McCargo, Bozeman and Browning	Clark				
263	Milwee James P	J W Milwee and Isaac N Jackson	16 June 1847	150 00	7 June 1849	D W Carroll	23 July 1850	Milwee, Milwee and Jackson	Sevier	30 60		23 Nov'r 1847	
264	Mitchell Isaac	Wm Strong and Allen D Burriss	15 May 1841	500 00	21 Sept'r 1843	S H Hempstead	18 June 1846	Dismissed at cost of Bank	St. Francis				
265	Meinsinger Anthony	Geo W Underhill and L Goodwin	16 May 1842	270 00	21 Sept'r 1843	same	5 July 1844	Meinsinger & Uuderhill	Crittenden	42 39		3 May 1842	
266	Morriss, Amon P	L D Maddox and Wm Pyburn	16 May 1842	320 00	26 Sept'r 1843	same	6 Jan'y 1844	Morriss & Pyburn,	Monroe				
267	McKeil Wm B	Josiah S McKeil and R H Yeats	13 August 1840	650 00	26 Sept'r 1843	same	6 Jan'y 1844	McKeil, McKeil and Yeats	Phillips	75 13		25 March 1847	
268	Martin James	Hugh McCrary and Jno C McCarty	20 April 1842	100 00	22 Dec'r 1843	John B Jackson			Phillips	1 10		7 Sept'r 1841	
269	Miles Mary B	A H Davies and Jas B Miles	1 April 1843	2,700 00	5 Nov'r 1849	D W Carroll	23 July 1850	J B Miles and Davies	Chicot	81 58		5 Nov'r 1849	
270	Mitchell Sam'l, Adm.	Sam Mitchell and J B Mitchell	2 Oct'r 1844	500 00	19 Dec'r 1848	L R Lincoln			Arkansas				
271	Mason Wm	A Barraque and John Manuel	27 Jan'y 1842	40 00	26 Sept'r 1843	S H Hempstead	19 Dec'r 1843	Mason & Manuel	Jefferson				
272	Morrison Wm	A K Higgins and A J Howard	12 April 1842	90 00	26 Sept'r 1843	same			State of La.				
273	Newton Thos W	Albert Pike and Luther Chase	7 Jan'y 1851	3,300 00					Pulaski				60
274	Newton Thos W	Albert Pike and Luther Chase	1 Jan'y 1851	600 00					Pulaski		6 00	1 Jan'y 1850	10
275	Nelson Chas T	Norbon T Nelson and H M Robinson	17 April 1840	170 00	July 1840	Trapnal & Cocke	14 Nov'r 1840	Nelson, Nelson and Robinson	Hempstead				
276	Nelson John H	Josh D Stewart and Wm Nelson	21 April 1850	90 00	9 August 1850	D W Carroll			Clark	6 30		16 Oct'r 1849	
277	Neely And. J	Francis B Reed and C N Blakemore	22 Oct'r 1840	550 00			27 Sept'r 1841	Neeley, Reed and Blackmore	Crittenden				
878	Norriss Sam'l	J H Brearly and Robt Davidson	22 May 1851	140 00					Pope				6
279	Owen Ezera M	Thos Pack and Green B Hughes	1 July 1844	900 00	15 March 1845	S H Hempstead	4 June 1845	Owen, Pack and Hughes	Saline		18 31	18 June 1843	
280	Obaugh James H	Sam. W Reyburn, S A Emerson and Sam. Miller	4 June 1843	425 00	13 April 1846	L R Lincoln	22 Oct'r 1847	Obaugh, Reyburn and Emerson	Hot Spring	170 00		1 Jan'y 1845	
281	Overbaugh George	B C Logan and J W Logan,	1 August 1845	21 00	24 Jan'y 1848	L R Lincoln			Clark	21		1 August 1844	
282	Oden Henry D	A B Hubbird and W A Johnson	6 August 1838	1,000 00	Jan'y 1839	Trapnall & Cocke	14 March 1840	Oden & Johnson	Crittenden				
283	Pyburn William	Amon P Morriss and Dan'l L Jackson	16 May 1842	320 00			6 Jan'y 1844	Pyburn, Morriss and Jackson	Monroe	2 00		22 June 1841	
284	Pike Albert	Cyrus W Wilson	4 Sept'r 1850	639 94					Pulaski				
285	Perciful John	George E Watkins	1 April 1851	200 00					Prairie				7
286	Perciful John	George E Watkins	1 March 1850	190 00	9 August 1850	D W Carroll			Prairie	22 18		3 May 1850	
287	Peay Gorden N*	E H Walden, W F Pope and Letitia Neil	1 May 1845	425 00	24 Jan'y 1848	L R Lincoln			Pulaski				
288	Pope Wm F	Gordon N Peay and Wm W Adams	1 Jan'y 1849	300 00	4 June 1849	D W Carroll			Pulaski				
289	Phillips Nelson	Russell Wellborn and Nimrod Menifee	20 Oct'r 1841	1,050 00	28 Sept'r 1843	S H Hempstead	21 Jan'y 1844	Bank	Conway	85 58		28 Oct'r 1841	
290	Pack Thomas	Green B Hughes and A R Hockersmith	1 Feb'y 1849	330 00	7 June 1849	D W Carroll	21 Dec'r 1849	Pack, Hughes and Hockersmith	Saline	33 42		3 June 1850	
291	Pelton Ardin	Thos Pack and A R Hockersmith	1 Feb'y 1848	300 00	7 June 1849	same	21 Dec'r 1849	Pelton, Pack and Hockersmith	Saline		6 53	November 1847	
292	Pelton Ardin	J W Shoppock and A R Hockersmith	1 Nov'r 1848	140 00	7 June 1849	same	21 Dec'r 1849	Pelton, Shoppock and Hockersmith,	Saline				
293	Pryor Richard	Henry C Boyd and T M R Bankhead	1 May 1850	2,310 00	9 August 1850	same			Hempstead	82 19		28 June 1849	
294	Pryor David L	Thos J Curl and Wm Strong	16 Feb'y 1841	600 00	13 Jan'y 1842	B J Knott, by Bertrand, Agent,	{ The notes sub	stituted for these two were never plac- }	St Francis	52		1 Dec'r 1840	
295	Pryor David L	J J Thompson and Wm Strong	10 May 1841	500 00	13 Jan'y 1842	B J Knott, by Bertrand, Agent,	{ ed on the B'k	Books. The whole am't of these are due }	St Francis				
296	Powel Thomas E	Wm Strong, B M Burriss, J J Thompson and G B Mirrick	19 June 1841	2,550 00			24 Nov'r 1842	Powel, Strong and Merrick	St Francis				
297	Patrick Freeman E	Thos L Casbeer, C L Sullivan and A S May	1 May 1847	735 00	7 June 1849	D W Carroll	23 Jan'y 1850	Patrick, Casbee, Sullivan and May	St. Francis	435 00		19 March 1847	
298	Pettit Wm McD	Wm H Gaines and A H Davies	5 Nov'r 1846	5,200 00	7 June 1849	same	29 July 1850	Pettit, Gaines and Davies	Chicot	5,143 19		various.	
299	Pullen John W	S H Davies and Jas W Felts	30 May 1842	100 00	13 April 1844	Martin W Dorriss			Jefferson		7 70		
300	Phillips Mary R	Jas Scull, Jr., and Wm Wright	1 May 1850	245 50	9 August 1850	D W Carroll			Jefferson				
301	Quindley John	Philip W Roberts	1 May 1849	100 00	2 July 1849	same			Conway		38 37		
302	Rapley Charles	Wm Field and Henry M Rector	1 April 1846	175 00	7 June 1849	same			Pulaski	40 00		10 Jan'y 1850	
303	Robins John	Eliz. C Robins and D J Baldwin	30 March 1851	210 00					Pulaski				7 3
304	Robinson Hardy	L M Robinson	14 Sept'r 1850	370 00					Pulaski	146 80		September 1850	
305	Royster David	Wm Gilchrist and John Perciful	12 May 1842	320 00			24 Nov'r 1842	Royster, Gilchrist and Perciful,	Pulaski				
306	Rector Henry M	James Pitcher and Wharton Rector	28 July 1840	1,000 00	29 Sept'r 1843	S H Hempstead	8 July 1844	H M Rector and James Pitcher,	Pulaski				
307	Rector Henry M	Fred W Trapnall and Wm Field	20 April 1849	300 00	9 July 1849	D W Carroll			Saline				
308	Rector Henry M	Deed of Trust on four Slaves	1 Sept'r 1850	1,487 00					Saline				
309	Robinson Jas R	Green B Hughes and Jas Cox	18 April 1843	110 00			8 Jan'y 1844	Hughes & Cox	Saline				
310	Raynes Reuben	Wm Gilchrist and Jas Lawson	5 Feb'y 1842	190 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Raynes & Lawson	Pulaski				
311	Raynes Reuben	Wm Gilchrist and Jas Lawson	24 Oct'r 1842	1,060 00	29 Sept'r 1843	same	9 Jan'y 1844	Raynes & Lawson	Pulaski	1,521 45		11 July 1849	
312	Raynes Nancy*	John Humphries and James M Dodd	26 May 1849	170 00	24 Jan'y 1848	L R Lincoln	9 July 1849	Bank	Saline				
313	Richardson Giles	Thos Pack and A R Hockersmith	26 Oct'r 1849	180 00	9 Jan'y 1850	D W Carroll			Saline				
314	Rutherford Geo W	Robert Calvert	1 Sept'r 1847	860 00	7 June 1849	same	29 Dec'r 1849	Rutherford & Calvert	Saline				
315	Rector Elias	S M Rutherford and Ebenezer Walters	1 April 1844	100 00	17 April 1849	same	1 May 1849	Bank, before W. S. Hutt, J. P, L. Rock	Crawford				
316	Redman Reuben T	Geo Redman and Geo H Redman	1 March 1851	1,300 00					Crittenden				37 9
317	Richtor Nicholas	Henry L Biscoe and R H Yeats	19 Oct'r 1840	500 00	12 Nov'r 1841	Henry L Biscoe			Phillips				
318	Reyburn Wm P	Euclid L Johnson and Sandford C Faulkner	16 Feb'y 1841	1.000 00			9 May 1842	Reyburn, Johnson and Faukner	State La.		5 08		
319	Richmond Barton*	T J Lacy, L E Barber, G N Causin, and Wm Trimble	29 Jan'y 1845	465 00	24 Jan'y 1848	L R Lincoln	15 Feb'y 1850	Bank,		102 70		23 Sept'r 1845	
320	Shaw Henry F	John R Barkalo and Jas Pitcher	13 March 1842	210 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Shaw & Pitcher	Pulaski				
321	Shaw Henry F	John Hutt and R C Byrd	14 June 1842	450 00	29 Sept'r 1843	same	8 July 1844	Shaw, Hutt and Byrd	Pulaski				
322	Shaw Henry F	Wm Brown, Jr.	24 April 1850	75 00	9 August 1850	D W Carroll			Pulaski				

Continued.

Amount on Ledger to the credit of individuals–being pay ment for re newal, &c.. &c.	Amount on Ledger to the Debit of individuals being amount of short payment on renewal, &c., &c.	Date of Credit or Debit.	Amount of Discount due to individuals on notes not due on 1st October, 1850.	Amount of Interest due on notes, on 1st October. 1850.	Amount of principal and interest due 1st Oct., 1850, including the Cr. or Dr. on Ledger.	Amount supposed to be Solvent, 1st October, 1850.	Amount supposed to be Doubtful 1st October, 1850.	Amount supposed to be insolvent, 1st October, 1850.	Amount supposed to be Lost, 1st October, 1850.	Amount on which Principal was released by taking the benefit of the Bankrupt Law.	Date of filing petition for the benefit of Bankrupt Law.	REMARKS.	
$			$	$ 435 72	$ 985 72	$	$	$ 985 72	$	$			213
				453 85	1,013 85			1,013 85					214
3,424 21		1 Jan'y 1849			4,672 22	4,672 22							215
114 66		4 Jan'y 1846		52 67	152 67	152 67						$114 66 was paid by Joel Johnson, and was one half the debt at that time due.	216
				117 00	342 00	342 00						The Bank has a levy on Cock's property in Hempstead county, to secure the payment of this debt.	217
				79 20	379 20	379 20						Securities are good.	218
30		6 March 1847		44 50	254 50	254 50							219
				71 33	151 33			181 33					220
				19 00	169 99	169 00							221
				226 87	526 87				526 87			This note was substituted for one due the Bank by John Murray, that was lost. It was not included in my receipt. J. M. Ross.	222
			6 21		163 79	163 79							223
	43 00	30 June 1849		8 00	451 00	451 00						Mr. Levy has put in new note, but has not yet paid the curtail and interest.	224
	258 99	5 April 1849		100 00	2,858 99	2,858 99							225
				573 70	1,273 70				1,273 70				226
	13 72	various.	1 17		62 55	62 55							227
			1 40		38 50	38 60							228
			1 17		48 83	48 83						The parties are good, if judgment has been, or can be, had.	229
2 09		30 August 1844		2 70	15 70		15 70						230
	15 46	29 Nov'r 1848		6 93	102 39	102 39						Lacy died insolvent. This note was renewed by Lacy under the 11th section of liquidation act and reduced from $1,450 to $1,300, but the Circuit Court decided that such renewal did not take the note out of the Statute of limitations. If the Supreme Court should sustain this decision, this and large number of debts due the bank, in the same situation, will be lost.	331
26 15		27 May 1847		6 28	121 28	121 28							232
34 90		23 Feb'y 1841		161 37	437 37			437 37					233
279 79		23 Sept'r 1845		214 85	1,514 85		1,514 85						234
10 00		13 May 1842		116 80	316 80	316 80						Gen. Samuel Mitchell has assumed the payment of this debt.	235
99		28 April 1849	1 53		77 49	77 48							236
				6 00	306 00	306 00						Mr. Levy has put in new note, but has not yet paid the curtail and interest.	237
				100 52	240 52			240 52					238
				145 81	385 81			385 81					239
			87		24 13	24 13							240
83 93		30 March 1841		306 86	906 86			906 86					241
				450 16	1,098 16			1,098 16					242
													243
503 99		21 Oct'r 1842		610 77	2,760 77	1,000 00		1,760 77				The estate of Menifee is insolvent. It will not pay more than 40 cents on the dollar.	244
													245
				107 06	327 06			327 06		327 06	24 Jan'y 1843,		246
				264 88	664 88			664 88					247
	2 30			1 30	68 60	68 60							248
61 06		14 Jan'y 1842		215 74	615 74			615 74					249
				134 38	344 38				344 38	344 38	5 Jan'y 1843,		250
				306 00	731 00				731 00	731 00	13 Dec'r 1842,	Menifee died insolvent, and Phillips took benefit of the Bankrupt Law.	251
2 85		25 Sept'r 1843		248 81	768 81		768 81					Good, if judgment can be obtained. As it now stands, it is doubtful.	252
50		25 Sept'r 1843		320 73	970 73		970 73					Good, if judgment can be obtained. As it now stands, it is doubtful.	253
331 51		1 Jan'y 1850			351 60	351 60							254
	9 00	14 Jan'y 1850	11 55		877 45	877 45						No Attorney's receipt on file. No suit was ever instituted in Pulaski Circuit Court. Parties dead and Bankrupt. Debt lost.	255
38 00		29 Dec'r 1842		308 64	783 64				783 64				256
				451 03	1,336 09				1,335 03			Discontinued as to McCarty and Marler. Lockert and Duncan released on Rankrupt plea.	257
				340 43	740 43				740 43				258
8 20		25 Feb'y 1841		58 51	153 51				153 51			There is nothing in Bank, to show that either of those notes were ever sued on. There is no Attorney's receipt on file, and no judgment that I can find.	259
				389 90	679 90				679 90				260
				133 20	503 20		503 20						261
				160 48	400 48	400 48							262
30 60		23 Nov'r 1847		3 06	153 06	153 06							263
				375 00	875 00				875 00				264
42 39		3 May 1842		89 28	359 28	359 28						Meinsinger died insolvent. Payment will devolve on Underhill as security.	265
				214 39	534 39			534 39					266
75 13		25 March 1847		451 08	1,101 08	1,101 08							267
1 10		7 Sept'r 1841		65 71	165 71			165 71				This money was probably collected by Jackson; if so, it has never been paid to Bank.	268
81 58		5 Nov'r 1849		456 52	3,156 52	3,156 51							269
				239 90	739 90	739 90							270
				27 75	67 75			67 75					271
				60 95	160 95				150 95			Judgment before James D. Fitzgerald, J P, City of Little Rock.	272
			60 97		3,239 03	3,239 03						I do not know whether judgment was ever obtained on this note. The securities are worthless, the principal appears to be a non-resident.	273
	6 00	1 Jan'y 1850	10 50		595 50	595 50							274
				142 15	312 15			312 15					275
6 30		16 Oct'r 1849			86 65	86 65							276
				437 31	987 27			987 37					277
			6 12		133 88	133 88							278
	18 31	18 June 1843		450 00	1,368 31	1,368 31						Securities are good. I do not know the condition of the Principal.	279
170 00		1 Jan'y 1845		35 37	460 37	460 37						The payment of $170 on this note was made by S W Reyburn, Esq, as security, The securities are good.	280
21		1 August 1844		8 38	29 38			29 38					281
				972 22	1,972 22			1,972 22					282
2 00		22 June 1841		211 05	521 05			531 05					283
				3 69	643 63	643 63							284
			7 00		193 00	193 00							285
22 18		3 May 1850			176 02	176 02							286
				184 16	609 16	609 16							287
				42 00	342 00	342 00						R Welborn is also a Bankrupt, and Menifee died insolvent.	288
85 58		28 Oct'r 1841		604 70	1,654 70				1,654 70	1,654 70	13 Dec'r 1842,		289
33 42		3 June 1850		9 74	339 71	339 71							290
	6 53	November 1847		64 00	370 53	370 53							291
				21 47	161 47	161 47							292
82 19		28 June 1849			2,303 78	3,303 78						On 22 March, 1843, Mr Pryor substituted three notes drawn by A J Greer, W B Hay, W W Elliott, W Lewis, amounting to $1,127 25, which paid his notes, principal and interest, except $70 27. Greer's notes are in hands of Mr Knott. Pryor's notes not cancelled for want of $70 00. Greer died insolvent. The securities are worthless, consequently debt lost.	293
52		1 Dec'r 1840		461 00	1,061 00			1,061 00					294
				375 55	875 55			875 55					295
				1,893 55	4,443 24			4,443 24					296
435 00		19 March 1847			378 13	378 13							297
5,143 19		various.			900 06	900 06						Judgment is rendered for $888 22, being the residue of debt 29th July, 1850.	298
	7 70			66 66	174 36		174 36					I knew nothing about this debt. If judgment was not obtained by Dorriss, it is now lost. Pullen is dead, I believe the securities are good.	299
				8 18	253 68	353 68							300
	38 37			11 33	149 70	149 70							301
40 00		10 Jan'y 1850			190 30	190 30						The payment of $40 00 was made by J W Parker, to renew Rapley's debt. Note put in but curtail not paid.	302
			7 35		202 65	202 65							303
146 80		September 1850			223 90	223 90						Curtail and Interest paid, but new note, for $240 not yet filed.	304
				214 59	534 59			534 59				On 6 July, 1843, Judgment was taken on forfeited delivery bond vs, Principal and J C Anthony, both of whom are insolvent. Debt lost.	305
				814 00	1,814 00	1,814 00							306
				34 66	334 66	334 66							307
				49 56	1,536 56	1,536 56							308
				65 55	175 55	175 55						This note is dated 1 May, 1850, and bears 8 per cent. interest from date.	309
												Lawson sued the Bank for $610 58 specie, paid E.L Johnson, as Bank Attorney, and recovered judgment vs. Bank, on 11 July, 1845. The Bank plead an offset of these judgments; and the Court allowed him to sett off $1,521 45 for amount paid Johnson.	310
1,521 45		11 July 1849			404 64	404 64							311
				73 66	243 66		243 66					Statute of Limitation plead successfully. Appeal by Bank tc Supreme Court.	312
				13 36	193 36	193 36							313
				212 10	1,972 13	1,072 13						Rector was the only party sued. He plead the Statute of Limitation successfully. Debt lost.	314
				53 03	152 00				152 00				315
			37 91		1,262 09	1,262 09							316
				397 90	897 90		897 90					I do not know the situation of this debt. Rector is dead. The securities are good, if they are bound.	317
	5 08			769 76	1,774 48			1,774 84					318
102 70		23 Sept'r 1845		98 06	563 06		563 06					Statute of Limitation successfully plead. Appeal by Bank to the Supreme Court.	319
				143 60	353 60		353 60						320
				292 40	742 40		742 40						321
				2 60	77 60	77 60							322

	PRINCIPAL ON NOTE	SECURITIES, OR ENDORSERS ON NOTES.	Note, when due.	Amount of Note.	When placed in Bank Attorney's hands for suit, and date of his receipt.	Name of Bank Attorney.	Date of Judgment.	Names of the parties against whom Judgment was rendered.	County in which principal resided when note was executed to the Bank.	
323	Shaw Henry F	Wm Brown, jr.	1 Sept'r 1850	$ 130 00					Pulaski	$
324	Sanger Stephen S	Thomas W Newton and A E Thornton	1 April 1850	460 00	3 June 1850	D W Carroll			Pulaski	
325	Sprage Alden	James McVicar and Jno Robins	1 April 1846	1,800 00	9 March 1849	L R Lincoln	13 Dec'r 1849	McVicar & Robins	Pulaski	
326	Smith Jefferson	Henry F Shaw and Geo Waring	14 April 1841	300 00			29 Sept'r 1841	Smith, Shaw and Waring	Pulaski	
327	Smith Jefferson	A H Rutherford and Geo Waring	19 May 1841	240 00			29 Sept'r 1841	Smith, Rutherford and Waring	Pulaski	
328	Smith Jefferson	A H Rutherford and George W Rutherford	4 Dec'r 1841	730 00	6 Oct'r 1843	S H Hempstead	9 Jan'y 1844	Rutherford & Rutherford	Pulaski	
329	Stephenson Young	Luther Chase and C P Bertrand	1 Feb'y 1846	1,600 00	30 April 1849	D W Carroll			Pulaski	
330	Stephens & Woods	Wm Brown and R S Carter	4 April 1842	400 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Carter & Brown	Pulaski	
331	Smith Green L	J J Rankin and L Bushnell	30 Oct'r 1841	95 00	29 Sept'r 1843	same	25 Dec'r 1843	Smith, Rankin and Bushnell	Pulaski	
332	Sterling Jos W	R C Hawkins, and Jno H Leech	10 May 1845	70 00	7 June 1849	D W Carroll			Pulaski	
333	Stephenson James	Nan'l King, C Ward, and J L Houston	30 Jan'y 1842	285 00	28 Sept'r 1843	S H Hempstead	27 April 1847	Stevenson, King and Houston	Conway	
334	Stephen A J	Russell Welborn and Nimrod Menifee	23 May 1842	125 00	28 Sept'r 1843	same	13 June 1849	Bank	Conway	
335	Sinclair Abraham	W W E Moreland and Jeremiah Moreland	22 August 1842	100 00	28 Sept'r 1843	same			Johnson	
336	Scott Joseph	Jas M Wills and A J Hutt	28 May 1851	181 84					Saline	
337	Shockley Bolly C	Thos Pack and Wm M Scott	21 Jan'y 1848	30 00	7 June 1849	D W Carroll	22 Sept'r 1849	Pack & Scott	Saline	
338	Scott Robt H	W W Scott and Abr Block	19 Nov'r 1842	655 00	28 Sept'r 1843	S H Hempstead	8 Jan'y 1844	R H Scott and Block	Hempstead	
339	Stewart Josh D	John H Nelson and M Bozeman	1 April 1851	160 00					Clark	
340	Sloan James	Harriss Flanagin and Benj S Duncan	6 June 1850	70 00	9 August 1850	D W Carroll			Clark	
341	Stroud Adam	Chas Gollihu and Isham L Stroud	10 July 1846	305 00	19 Dec'r 1848	L R Lincoln	5 June 1849	Adam Stroud and Gollihu	Clark	
342	Stroud Isham L*	Chas Gollihu and Adam L Stroud	10 July 1845	240 00	23 Nov. 1848	same	5 June 1849	Adam Stroud and Gollihu	Clark	
343	Scott Wm C	Jas C Scott and Edward A Scott	4 Nov'r 1842	1,185 00	29 Sept'r 1843	S H Hempstead	6 Jan'y 1844	Scott, Scott, and Scott	Crawford	
344	Strong Wm	Allen D Burriss, J J Thompson, and T M Collins	30 April 1841	950 00	21 Sept'r 1843	same	6 Jan'y 1844	Collins	St Francis	
345	Strong Wm	Allen D Burriss and J J Thompson	21 May 1841	325 00	21 Sept'r 1843	same	4 Jan'y 1844	Bank	St Francis	
346	Strong Wm	John C Johnson and M W Izard	21 June 1841	300 00	21 Sept'r 1843	same	4 Jan'y 1844	Izard	St Francis	
347	Strong Wm	B M Dorriss, A D Burriss and Wm Dobson	8 July 1841	3,600 00	21 Sept'r 1843	same	4 Jan'y 1844	Dorriss	St Francis	
348	Strong Wm	S H Fillingim and W Dobson	1 June 1850	375 00					State of Tenn.	
349	Sullivan Chas L	Jas M Halbert and R H Hargraves	8 June 1844	500 00	15 March 1845	S H Hempstead	26 Sept'r 1847	Sullivan & Halbert	St Francis	
350	Sullivan Chas L	Jas M Halbert, and Josiah S McKeil	15 March 1846	100 00	14 Feb'y 1847	J. B Jackson			St Francis	
351	Seaborn Joseph	Cyrus Little and Elihu Hotchkiss	25 April 1842	270 00			5 July 1844	Seaborn, Little and Hotchkiss,	St. Francis,	
352	Spurlock David	Jesse Spurlock, William Spurlock and Wiley Lewis	12 Nov'r 1840	385 00			6 Jan'y 1844	Spurlock, Spurlock, Spurlock and Lewis	Crittenden	
353	Swain Parson H	John H Walker and Elliott H Fletcher	28 Feb'y 1841	1.000 00	21 Sept'r 1843	S H Hempstead	28 Oct'r 1846	Walker & Fletcher	Mississippi	
354	Scott William	Wm F Moore and H L Biscoe	21 April 1842	100 00	22 Dec'r 1843	John B Jackson			Phillips	
355	Smith Reuben	E McDermot, and Wilford Garner	5 Nov'r 1840	500 00	6 Oct'r 1843	S H Hempstead	9 Jan'y 1844	McDermott and Garner	Chicot	
356	Swan Wilson H	Selden Tryon and James Calvert	10 May 1841	300 00	26 Sept'r 1843	same	27 Oct'r 1845	Swan	Pike	
357	Smith And. J	Wm Janes, jr., and Willis S Smith	8 Oct'r 1849	215 00	9 Jan'y 1850	D W Carroll	23 July 1850	Smith, Smith and Janes	Clark	
358	Sutton Wm H	Luther Chase and R F Dunn	1 June 1850	908 59	9 August 1850	same			Pulaski	
359	Thorn Thomas	E H Walden and James Pitcher	20 July 1844	9,650 00	22 Oct'r 1844	S H Hempstead	30 April 1845	Walden	Pulaski	
360	Trimble Moffat E	D B Cargile and R King	3 Nov'r 1841	170 00	29 Sept'r 1843	same	18 June 1846	Bank	Pulaski	
361	Thompson David	R S Carter and John J Budd	21 Feb'y 1841	800 00			9 Sept'r 1841	Thompson, Carter and Budd	Pulaski	
362	Triplett Hedgman	W P Reyburn and A H Sevier	4 Jan'y 1841	250 00	29 Sept'r 1843	S H Hempstead	9 Jan'y 1844	Sevier	Pulaski	
363	Tucker J & B H Thompson	P J Pitman and E W Johnson	26 April 1841	450 00	28 Sept'r 1843	same	12 Jan'y 1844	Thompson	Conway	
364	Tucker J & B H Thompson	Jas Stevenson and J R Montgomery	28 June 1841	110 00	28 Sept'r 1843	same	8 July 1844	Thompson	Conway	
365	Thompson Asa	Edward Cross, and Wm H Bizzell	9 Sept'r 1840	1,900 00			3 Nov'r 1845	Bank	Pike	
366	Taite Robt S	Joshua D Stewart and R Welch	28 Jan'y 1848	225 00	7 June 1849	D W Carroll			Clark	
367	Tryon Selden	James Calvert and Ezra Crowell	29 March 1841	900 00	26 Sept'r 1843	S H Hempstead	18 June 1846	Bank	Pike	
268	Tryon Selden	James Calvert and Ezra Crowell	13 April 1841	300 00	26 Sept'r 1843	same	18 June 1846	Bank	Pike	
369	Tryon Selden	James Calvert and Ezra Crowell	21 June 1841	900 00	26 Sept'r 1843	same	18 June 1846	Bank	Pike	
370	Thornton Sam'l C	E Franklin and Jas Lisenby	14 Feb'y 1841	285 00	28 Sept'r 1843	same	8 Jan'y 1844	Franklin & Lisenby	Clark	
371	Thompson Jas J	A D Burriss, J C Johnson, T J Curl, Wm Strong,	23 May 1841	250 00	21 Sept'r 1843	same	18 June 1846	Bank	St. Francis,	
372	Thompson Jas J	A D Burriss, John C Johnson, T J Curl, I Mitchell, Wm Strong	24 May 1841	1,860 00	21 Sept'r 1843	same	18 June 1846	Bank	St. Francis	
373	Thomas James	J W Calvert and J M Halbert	23 March 1842	25 00	22 Dec'r 1843	James B Jackson			St. Francis	
374	Tyer Samuel	Ajax Tyer, and N H Tyer	22 Feb'y 1842	270 00	21 Sept'r 1843	S H Hempstead	4 Jan'y 1844,	Tyer, Tyer and Tyer	St. Francis	
375	Tyer Stephen	A T Lancaster and A P Buford	22 Feb'y 1842	105 00	21 Sept'r 1843	same	18 June 1846	Bank	St. Francis	
376	Thorn John	Elliott H Fletcher and Wm C Trice	14 April 1841	550 00	21 Sept'r 1843	same	8 July 1844	Fletcher and Trice	Mississippi	
377	Taylor Isaac	George W Taylor and Isaac Fail	22 Feb'y 1842	150 00	26 Sept'r 1843	same	6 Jan'y 1844	Isaac Taylor	Monroe	
378	Tucker Wood	S H Tucker and Jas Scull, Sr.	28 Feb'y 1841	600 00	6 Oct'r 1843	same	9 Jan'y 1844	Wood Tucker and Scull	Jefferson	
379	Tolleson J C P	John Burriss and B Baily	16 Oct'r 1839	700 00	22 Jan'y 1840	Trapnall & Cocke	21 March 1840	Tolleson, Burriss and Baily	Phillips	
380	Underhill Geo W	Wm C Trice and C J Bernard	28 Jan'y 1851	152 40					Crittenden	
381	Vaugine Paul	Hews Scull and Jacob Liemberger,	22 Mar. 1841	200 00	28 Sept'r 1843	S H Hempstead	6 Jan'y 1844	Vaugine and Liemberger	Jefferson	
382	Waring George	John Wassell and T T Tunstall	7 Feb'y 1841	950 00	29 Sept'r 1843	same	8 July 1844	Waring, Wassell and Tunstall	Pulaski	
383	Waring George	Lewis Snapp and E W McCracken	1 June 1850	240 00	9 August 1850	D W Carroll			Pulaski	
384	Waring George		9 April 1851	215 00					Pulaski	
385	Waring George	L Snapp, P Hanger and E W McCracken	20 May 1851	150 00					Pulaski	
386	Walden E H	Thomas Thorn and James Pitcher	12 May 1844	616 67	7 April 1845	Euclid L Johnson	3 Nov'r 1845	Walden	Pulaski	
387	Walden E H	Thomas Thorn and James Pitcher	20 July 1844	950 00	22 Oct'r 1844	S H Hempstead	30 April 1845	Walden	Pulaski	
388	Waring Geo & Co.	Albert Pike and Absalom Fowler	19 April 1841	900 00			20 Sept'r 1842	Pike & Fowler	Pualski	
389	Widgery John	L R Lincoln, A Pike, and James Lawson	1 May 1845	240 00	7 April 1847	L R Lincoln			Pulaski	
390	Webb Sam'l H	Henry F Shaw and Geo Waring	14 April 1842	680 00	29 Sept'r 1843	S H Hempstead	8 July 1844	Waring & Shaw	Pulaski	
391	White William	R C Hawkins and G W Whitaker	27 Feb'y 1842	250 00	29 Sept'r 1843	same	9 Jan'y 1844	Hawkins	Pulaski	
392	Waters Sam	R D C Collins and Henry F Shaw	25 June 1841	600 00			30 Sept'r 1841	Shaw	Pulaski	
393	Welborn Russell	Elijah Welborn, and Nelson Phillips	4 April 1842	350 00	28 Sept'r 1843	S H Hempstead	5 July 1844	Bank	Conway	
394	Welborn Russell	Jos J Simmons and Nelson Phillips	1 May 1842	210 00	28 Sept'r 1843	same	8 July 1844	Simmons	Conway	
395	Welborn Elijah	R Welborn, J J Simmons, N Phillips, and H A Berry	19 April 1842	270 00	28 Sept'r 1843	same	8 Jan'y 1844	Simmons & Berry	Conway	
396	Webster John C	Francis J Brownlee, and B H Thompson	24 Dec'r 1841	170 00	28 Sept'r 1843	same	12 Jan'y 1844	Webster & Thompson	Conway	
397	Ward Catharine	R McCall, and Jos J Simmons	11 Jan'y 1843	40 00	28 Sept'r 1843	same			Conway	
398	Wolf Wm H	Wm Crockett and Thos Pack	24 Dec'r 1850	50 00					Saline	
399	Wharton Wm*	Thos Keesee, Jr., and Robert Calvert	18 April 1845	140 00	7 June 1849	D W Caroll	23 July 1850	Wharton, Keezee & Calvert	Saline	
400	Williams Ed W*	Ezra M Owen and Ezra Owen	18 July 1845	35 00	7 June 1849	same			Saline	
401	Wheat Sam'l C*	Henry Cheatham and Joel D Conway	13 July 1845	400 00	24 Jan'y 1848	L R Lincoln			Hempstead	
402	Wells Jacob	Harriss Flanagin and Austin S Wells	5 Oct'r 1842	320 00	28 Sept'r 1843	S H Hempstead	8 Jan'y 1844	Wells, Flanagin and Wells	Clark	
403	Ward S James	Harriss Flanagin and B S Duncan	22 April 1847	135 00	7 June 1849	D W Carroll	21 Dec'r 1849	Ward, Flanagin and Duncan	Clark	
404	Williams James	Richard S Wilson	1 Feb'y 1849	110 00	7 June 1849	same	21 Dec'r 1849	Williams & Wilson	Clark	
405	Wright M	No Security	1 June 1850	800 52	9 August 1850	same			Lafayette	
406	Williams Wm	H H Curl and Thos J Curl	12 Nov'r 1840	550 00	26 Sept'r 1843	S H Hempstead	18 June 1846	Bank	St. Francis	
407	Williams Wm	H H Curl and Wm Sanders	23 Dec'r 1840	325 00	26 Sept'r 1843	same	18 June 1846	Bank	St. Francis	
408	Whitsett Nelson C	Lawson H Bedford and T M Collins	5 April 1841	550 00	21 Sept'r 1843	same	4 Jan'y 1844	Bedford & Collins	Crittenden	
409	Walker Samuel D	W H Gaines and A H Davies	5 Nov'r 1846	2,429 00	2 July 1849	D W Carroll	23 July 1850	Walker & Davies	Chicot	
410	Whitfield A	James Lawson and L Chase	26 Feb'y 1849	1,466 00	7 June 1849	same	22 Feb'y 1850	Lawson & Chase	Jefferson	
411	Wise Marshall M	L H Bedford and J R James	21 August 1839	400 00	22 Jan'y 1840	Trapnall & Cocke	9 Nov'r 1840	Bedford	Crittenden	
412	Wright Jos J	Jos H Mosby and Garland Hardwick	1 April 1847	980 00	7 June 1849	D W Carroll	21 Dec'r 1849	Wright, Mosby, and Hardwick	Jefferson	
413	Woods Moses R*	Reuben Raynes and B J McHenry	1 April 1845	580 00	24 Jan'y 1848	L R Lincoln	26 Oct'r 1848	Woods	Hot Spring	
414	Winters M A	Henry Cornelius	1 May 1851	140 00					Hot Spring	
				$295,332 07						

BILLS OF EXCHANGE DUE THE BAN

415	Coulter Richard	James Coulter and C R Raines	17 May 1841	$ 250 00	6 Oct'r 1843	S H Hempstead	26 Nov'r 1845	Bank	
416	Reyburn Wm P	E L Johnson and S C Faulkner	31 January 1841	255 00	6 October 1843	same	8 July 1844	Johnson and Faulkner	
417	Bizzell Wm H	S Tryon, E Crowell and McDonald	18 March 1841	1.100 00	6 Oct'r 1843	same	18 Nov'r 1845	Wm H Bizzell (for residue,)	
418	Dickinson Townsend	Tho J Lacy, Wm Pratt	20 June 1839	1,000 00	21 July 1839	Trapnall & Cocke	14 March 1840	Townsend Dickinson	
419	Dawson Jas L	Thos Phenix, T T Williamson and W Tucker	8 Sept'r 1839	3,750 00	22 Jan'y 1840	same	9 Nov'r 1840	Wood Tucker	
420	Rust Albert	W M Beall, J S Conway and W Prather	23 Dec'r 1839	2,000 00	July 1840	same	10 Nov'r 1840	Rust, Conway and Prather	
421	Buckner Simeon	F Gavall, R McGargo and T C Hudson	13 May 1840	2,000 00	No Attorney's	receipt on file.	9 Sept'r 1842	Buckner, McCargo and Hudson	
422	Chenowith J W	J J Bowie, B F Odle and Jas Carlton	17 May 1840	175 00	July 1840	Trapnall & Cocke	14 Nov'r 1840	Bowie and Odle	
423	Gilbert P W	J C Johnson, A A Brown, H L Evans, J J Thompson	16 June 1840	2,000 00	Jan'y 1842	J C P Tolleson, by Bertrand, Ag't	Unknown		
424	Wm Cummins	A Baraque, J B Keatts and E Cummins	7 Feb'y, 1841,	500 00	6 Oct'r 1843	S H Hempstead	26 Nov'r 1845	Bank	
				13,030 00					
				$308,362 07					

RECEIVER'S OFFICE, STATE BANK,
LITTLE ROCK,
October 1st, 1850.

Notes marked thus* were renewed under the 11th section of the Liquidation Act.

Note.—The following memoranda are added to this report, in explanation of note No. 127: The Note (No. 207) C. L. Jeffries, Wood Tucker and Wm. Gilchrist, was due 5 June, 1841,

tation could not have been set up or sustained ☞ but it remained in Thornton's hands until Jan., 1848, and I, therefore, suggest whether the "Remarks" shou'd not be changed from

The above claim was sworn to by John H. Crease, Financial Receiver of the State Bank, and presented to Sam'l Mitchell, Adm'r of the Estate of Wm. Gilchrist, dec'd, allowed by

the adm'r on the 20th day of April, 1844, as appears from his endorsement.

in Mr. Crease's hands until it was barred by the Statute of Limitations, because the Statute did not commence running until 8 Dec'r.

under the liquidation Act. All the decisions thus far concur that the Statute

$275: An

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commenced

County in which principal resided when note was executed to the Bank.	Amount on Ledger to the credit of individuals—being payments for renewal, &c., &c.	Amount on Ledger to the Debit of individuals—being amount of short payments on renewal, &c.	Date of Credit or Debit.	Amount of Discount, due to individuals on notes not due on 1st October, 1850.	Amount of Interest due on Notes, on 1st Oct. 1850.	Amount of principal and interest due 1st Oct., 1850, including the Cr. or Dr. on Ledger.	Amount supposed to be Solvent, 1st October, 1850.	Amount supposed to be Doubtful, 1st October, 1850.	Amount supposed to be Insolvent 1st October, 1850.	Amount supposed to be Lost, 1st October, 1850.	Amount on which principal was released by taking the benefit of the Bankrupt Law.	Date of filing petition for the benefit of Bankrupt Law.	REMARKS.
Pulaski	$	$ 3 30		$	$ 86	$ 134 16	$ 134 16	$	$	$	$		
Pulaski	150 00		16 April 1846		18 40	478 50	478 40						
Pulaski	600 00		1 April 1850			1,799 77	1,799 77						
Pulaski					226 93	526 93			526 93				
Pulaski					179 75	419 75		419 75					
Pulaski	112 00		12 Aug. 1842		515 22	1,245 22		1,245 22					
Pulaski	1,465 00		1 Oct'r 1846			519 97	519 97						
Pulaski					271 64	671 64			671 64				
Pulaski					67 77	162 77			162 77				
Pulaski	24 00		1 Feb'y 1847		1 96	71 96		71 96					Judgment rendered before J. D. Fitzgerald, J. P., City of Little Rock.
Conway					196 60	481 60		481 60			481 60	24 Jan'y 1843	
Conway					83 50	208 50							
Johnson					64 85	164 85			164 85				Judgment vs. Securities before a J. P., in Johnson county, and appeal to the C Court. Sinclair is dead, and the Morelands insolvent.
Saline				8 48		173 36	173 36						
Saline					6 47	36 47	36 47			208 50			
Hempstead	1 54		26 July 1842		415 83	1,080 83			1,080 83				
Clark	7 60		6 June 1850	5 60		146 80	146 80						
Clark	2 50		8 June 1849			69 06	69 06						
Clark	137 43		4 Oct'r 1849			265 96	265 96						
Clark	44 70		7 Dec'r 1845		27 74	267 74	267 74						
Crawford	276 83		1 January 1844		382 54	1,567 54			1,567 54				
St Francis					715 66	1,665 66		1,665 66			1,665 66	21 Jan'y 1843	
St Francis					243 26	568 26				568 26	568 26	21 Jan'y 1843	
St Francis					222 56	522 56			522 56		522 56	21 Jan'y 1843	
St Francis					2,657 60	6,257 60				6,257 60	6,257 60	21 Jan'y 1843	
State of Tenn.	145 35		3 Sept'r 1850			238 33	238 33						Curtail and interest paid, but new note not yet filed.
St Francis					252 33	752 33	752 33						
St Francis					36 33	136 33		136 33					The amount of this note was paid to James B. Jackson in 1848; and retained by He has never reported the collection to the Bank.
St. Francis,					182 10	472 10		472 10					
Crittenden					302 40	787 40			787 40				
Mississippi		58			766 66	1,767 24			1,767 24				
Phillips		89			67 60	168 49		168 49					The parties are good, and I expect the note has long since been collected, by Jac who has never accounted for it to the Bank.
Chicot					394 11	894 11	894 11						
Pike					225 33	525 33			525 33				
Clark						160 65	160 65						
Pulaski					24 22	932 81	932 81						
Pulaski		435 10			4,782 10	14,867 20				14,867 28			
Pulaski					121 15	291 15				291 15			
Pulaski					614 58	1,414 58			1,414 58				
Pulaski					194 78	444 78			444 78				
Conway					339 44	789 44			789 44		789 44	5 Jan'y 1843	
Conway					81 44	191 44			191 44		191 44	5 Jan'y 1843	
Pike	23 15		30 July 1849		1,486 91	3,386 91				3,386 91			See "Arkansas Reports," vol. 5, page 525.
Clark	79 00		2 June 1850			193 19	193 19						
Pike					684 20	1,584 20				1,584 20			
Pike					227 13	527 13				527 13			
Pike					667 80	1,567 80				1,467 80			
Clark	40 40		25 April 1842		170 08	455 08			455 08				
St. Francis,	1 42		8 Dec'r 1840		185 00	435 00				435 00			
St. Francis					1,491 28	3,351 28				3,351 27			
St. Francis	1 44		11 Oct'r 1841		14 66	39 66		39 66					The amount of this note may have been collected by Jackson.
St. Francis	38 79		1 March 1842		120 41	390 40			390 40				
St. Francis	2 45		24 August 1841		67 94	172 94				172 94			
Mississippi					415 12	965 12			965 12				
Monroe	100 00		20 Feb'y 1843			99 73		99 73					
Jefferson	470 00		18 Jan'y 1845			465 29	465 29						
Phillips					613 51	1,313 51			1,313 51				
Crittenden				3 50		148 90	148 90						
Jefferson					152 36	352 36			352 36				
Pulaski	83 22		10 Feb. 1841		584 94	1,534 94		1,534 94					
Pulaski					6 40	246 40	246 40						
Pulaski				7 50		207 50		207 50					
Pulaski				6 78		143 22	143 22						
Pulaski					314 88	931 55				931 55			
Pulaski					472 88	1,422 88				1,442 88			
Pualski	167 75		April 1842		398 83	1,298 83		1,298 83					
Pulaski					104 00	344 00	344 00						
Pulaski					460 08	1,140 08			1,140 08		1,140 08	1 Nov'r 1842	Widgery is a non-resident, but the Securities are good.
Pulaski					171 70	421 70		421 70			421 70	13 August 1842	
Pulaski					444 66	1,044 66			1,044 66				
Conway		1 68			237 70	589 58				589 58	589 58	21 Dec'r 1842	
Conway					141 40	351 40				351 40	351 40	21 Dec'r 1842	
Conway					182 45	452 45			452 45		452 45	24 Jan'y, 1843,	
Conway	6 00		7 Feb'y 1842		45 14	215 14			215 14				
Conway	10 00		22 May 1843		8 60	48 60			48 60				
Saline				80		49 20	49 20						I do not know whether judgment was ever obtained on this note or not.
Saline	51 80		August 1847			133 75	133 75						
Saline	7 10		29 August 1845		6 28	41 28	41 28						
Hempstead					166 70	566 70		566 70					The collection of this debt depends upon the construction the Supreme Court the 11th Section of the Liquidation Act.
Clark		41			204 44	524 81	524 81						
Clark	7 76		23 April 1846		25 74	160 74	160 74						
Clark		18 80	July 1848		14 56	143 46	143 46						
Lafayette					85 38	885 90	885 90						
St. Francis					434 87	984 87				984 87			This note is dated 1st June, 1849, and bears 8 per cent. interest from date.
St. Francis					254 00	579 00				579 00			
Crittenden	235 00	49	$100 Sep. 19, '44		167 88	718 37		718 37					The amount $235 paid, on this note, was paid by Bedford.
Chicot			$135 May 17, '45		759 58	3,188 58	3,188 58						
Jefferson					186 33	1,652 33	1,652 33						
Crittenden					355 46	755 46		755 46					
Jefferson					274 40	1,254 40	1,254 40						
Hot Spring					255 20	835 20		835 20					
Hot Spring				5 70	134 29	134 29	134 29						
	$3[illegible],433 09	$4,509 45		674 73	107,184 19	387,374 63	136,978 65	62,472 88	105,638 92	$82,284 18	$24,064 70		

THE BANK AT LITTLE ROCK.

	$ 42 50	$	31 Mar. 1843		$ 141 78	$ 391 78	$	$	$	$ 391 78	$		
					197 20	452 20			452 20				
	499 98		18 May 1841		532 31	1,201 81		1,201 81					
		5 75	July 1841		1,127 77	2,133 52				2,133 52			
	2,990 93		8 Dec'r 1839			1,427 00			1,427 00				
	1,871 03		various.			819 60		819 60					
					1,660 89	3,660 89			3,660 89				
		6 75			145 16	326 91			326 91				
					1,646 22	3,646 22			3,646 22				
					385 75	885 75				885 75			
	[illegible],404 44	12 50			5,837 08	14,945 68		2,021 41	9,513 22	3,411 05			
	$4[illegible],837 53	$4,521 95		674 73	113,021 27	402,320 31	136,978 65	$64,494 29	115,152 14	$85,695 23	$24,064 70		

JOHN M. ROSS,
Financial Receiver.

$275: And, on 8 Dec., 1842, payment was made, by the assistance and co-operation of the securities, $213. Crease was succeeded by Thornton in 1845, up to which date the Statute of
Crease to *Thornton.*
J. H. CREASE

him, and duly filed and classed in the Probate Court of Pulaski county, on the 25th day of January, 1848; and the Estate of Wm. Gilchrist, dec'd, is considered good, is entirely solvent. The
GORDEN N. PEAY, *Clerk Ct. Ct*

1842, (the day of payment,) and the note was not barred until 8 Dec'r, 1845, and Mr. Crease went out and Thornton went in during April, (I think) 1845, so, when Mr. Crease went
commenced anew from the day of payment.

A **TABLE**, exhibiting the Assets of the Branch of the Bank of the State of Arkansas, at Batesville, on the 10th February, 1847, when C. D. Cook, Esq., took charge of said Branch, as Financial Receiver; the notes costs; the date of non-suits; the judgments rendered against the Bank, and taken to the Supreme Court; the amount of money collected by the officers of said Branch, from 10th Feb'y, 1847, to the 1st July, 185 Oct., 1850; the amount of Principal and interest due 1st Oct., 1850; and the amounts supposed to be solvent, doubtful, insolvent, and lost.

	PRINCIPAL ON NOTE.	SECURITIES ON NOTE.	Note, when due.	Amount of Notes.	Date of Bank Attorney's receipt now in Bank.	Name of Bank Attorney.	Date of Judgment rendered in favor of the Bank.	Parties against whom Judgment was rendered in favor of the Bank.	Amount of note on which judgment was rendered in favor of the Bank.	Amount of note on which final judgment was rendered against the Bank.	Date of judgment rendered against the Bank.	Amount of note on which the Bank took a non-suit on a rule of the Court, to compel her to give security for costs.	Date of non suit.	Date of the institution of non suit under the 24th sec. of the "*Limitation*" Act.	County in which non suit was taken.	County in which suits are now pending.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and remain undetermined.
1	Allen Bonaparte	Andrew Allen, Jr., and Henry A Engles	31 Jan'y 1843	$ 370 00	20 March 1849	W C Bevens			$			$ 370 00	May, 1848,	March 27 1849,	Independence.	Independence,	$
2	Arnold John N	Alfred Arnold, and D G W Magness	1 July 1844	394 00	27 Feb'y 1849	same					March, 1850,	394 00	May, 1848,	March 22 1849,	same	same	394 00
3	same	D G W Magness, and Joseph Drennen	1 July 1844	136 00	27 Feb'r 1849	same						136 00	May, 1848,	March 22 1849,	same	same	
4	Arnold Alfred	same and John N Arnold	1 June 1845	396 00	27 Feb'y 1849	same					March, 1850,	396 00	May, 1848,	March 22 1849,	same	same	
5	Allen George	Bonaparte Allen, and A G Creath	1 Feb'y 1843	171 00	15 June 1849	same						171 00	May 24, 1848,	May 4 1849,	same	same	
6	Adair William	John L Johnson, and Wm Pyburn	27 *Dec'r 1838*	500 00			4 June 1839	Adair, Johnson, and Pyburn,	500 00								
7	Akin Trent C	Jesse Bean and Wm Rainy	10 Feb'y 1845	133 00	2 Feb'y 1849	W C Bevens											
8	Alfred John C	Levi Moore and John Moore	5 August 1844	247 31	6 Oct'r 1846	same											
9	Adams Richard	John Foster and Orrin Terrill	1 July 1844	85 00	4 April 1849	same											
10	Allen Abraham	Andrew Allen, Jr., and Andrew Allen, Sr.	7 August 1845	942 31													
11	same	same and F S Morrison	1 July 1846	35 00													
12	Arnold John	P A McDaniel, J W Bond and Jesse Terry	1 July 1846	65 00													
13	Allen Abraham	Henry Neil and James E Pelham	1 July 1846	88 64													
14	Brandon Jas A	F A Morrison and John Ringgold	1 July 1844	380 00													
15	*Blunt B H*	Alex G McFarland, and Joab H Peel	18 Jan'y 1843	350 00	15 June 1849	W C Bevens						350 00	May, 1848,	March 1849,	Independence,	Independence.	
16	Byers Wm	E W Jordan, M W Baltimore and H Holdaway	21 August 1842	833 00	20 March 1849	same						833 00	May, 1848,	April 27 1849,	same	same	
17	Bowen Marady	A G Creath and Warren Johnson	25 Dec'r 1842	137 00	15 June 1849	same						137 00	May 24, 1848,	May 4 1849,	same	same	
18	Barnett John	Tho S Palmer and James Clark	14 Feb'y 1843	104 00	20 March 1849	same						104 00	May, 1848,	March 27 1849,	same	same	
19	same	Jeremiah Barnett and same	1 July 1843	346 00	10 Feb'y 1847	same						346 00	May, 1848,	April 27 1849	same	same	
20	same	same and same	1 July 1843	365 00	10 Feb'y 1847	same						365 00	May, 1848,	March 1849,	same	same	
21	Barnett James S	T Underwood and W W Tunstall	25 Oct'r 1842	323 00	20 Mar. 1849	same						323 00	May, 1848,	May 1849,	same	Jackson,	
22	Barnett Jeremiah,	John Barnett and F S Morrison	1 *March 1843*	243 00	20 March 1849	same						243 00	May, 1848,	April 27 1849,	same	Independence,	
23	Bowen Marady	D J Jones and Arthur Dillingham	24 Feb'ry 1843	85 00	4 April 1849	same											
24	Brundrett John	J H Brundrett and C F M Noland	26 July 1842	50 00	4 April 1849	same											
25	Brundrett J H	H Holdaway and W P Morris	24 July 1843	67 00	4 April 1849	same											
26	same	same and Henry Neill	25 Jan'y 1843	95 00	4 April 1849	same											
27	Bagley James	James Simpson and same	1 July 1844	213 00	27 Feb'y 1849	same						213 00	May, 1848,	March 22 1849,	Independence,	Independence,	
28	Bird A H	C S McKinney and John Hulsey	1 July 1844	247 00	27 Feb'y 1849	same						247 00	May, 1848,	March 22 1849,	same	same	
29	Bently Jos E	Septimus Williams and Robt Williams	1 July 1844	121 60	23 June 1849	same											
30	Baird Wm	Elisha Baird and Wm Harguss	1 July 1844	243 20													
31	Baird Alvin	Thos Hughes and C F M Noland	1 July 1844	300 00	27 Feb'y 1849	W C Bevens						300 00	May, 1848,	March 22 1849,	Independence,	Independence,	
32	Byers William	Jas H Patterson and M W Baltimore	1 July 1844	1,246 85													
33	Brown Harrison	Wm Magness and Jesse Terry	1 July 1844	864 00	27 Feb'y 1849	W C Bevens						864 00	May, 1848,	May T., 1849,	Independence,	White,	
34	Bandy Wm H	Ulysses Merchant and S B Wycough	1 July 1844	163 00													
35	Baltimore M W	Wm Byers and W H Hunt	14 August 1844	325 00			July 1847	Estate of Baltimore-									
36	Blount Allen	Henry Neill and Nathan Rany	10 August 1845	70 00													
37	Bowen Marady	W J Boen and C H Boen	28 Oct'r 1845	70 00			25 June 1849	M. Bowen,									
38	Burr E T	P P Burton and Isaac Tucker	2 Oct'r 1845	350 00													
39	same	J E Pelham, C H Pelham and W L McGuire	10 June 1846	622 00	2 April 1849	W C Bevens											
40	same	P P Burton and Green H Shaw	0 May 1847	289 17													
41	same	same and Isaac Tucker	3 July 1847	200 00													
42	Beller William	Gee W Beller and Garrett Greer	July 1846	422 00													
43	Bates Robert	A R Porter and A P Sherrill	July 1846	160 00	2 April 1849	W C Bevens					September 1849					Independence,	
44	Blakemore C N	A J Greer and Wm B Hay	1 Feb'y 1839	1,000 00			3 Dec'r 1839	Blakemore, Greer, and Hay,	1,000 00								
45	Brown John	Alex Robinson, Jas J Waddle, T H Morriss, W P Morriss, John W Childress and Wm. Robinson,	1 August 1841	8,000 00							Aug. 12, 1847,					Independence,	8,000 00

n which judgments were rendered for, and against, the Bank; the notes on which non-suits were taken, under a rule of the Circuit Court of Independence county, to compel the Bank to give security for
); notes taken in renewal; notes returned by the Attorney to the Receiver at Little Rock. as lost; the amount of notes due said Branch, on 1st October, 1850; the amount of interest due on same, on 1st

Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and reversed, and now pending in the Circuit Court.	Amount paid on notes and judgments before the 10th Feb., 1847, so far as shown by the books.	Date of credit for money paid before the 10th Feb., 1847.	Amount paid into Bank, since the 10th Feb'y, 1847	Date of payment made since 10th Feb'y, 1847,	Amount of note taken in renewal since the 10th Feb'y, 1847.	New note, when due,	New note, when placed in Attorney's hands for suit by Receiver.	Notes turned over to Receiver at Little Rock as lost, by the Attorney, also on which suits were dismissed for insolvency.	Total amount of notes due the Bank on 1st Oct., 1850.	Interest due on all notes on 1st October, 1850.	Principal and interest due on all notes on the 1st Oct., 1850.	Amount supposed to be solvent.	Amount supposed to be Doubtful	Amount supposed to be insolvent.	Amount supposed already Lost.	REMARKS.	
	$		$		$			$	$ 370 00	$ 226 93	$ 596 93	$	$	$ 596 93	$		1
									394 00	197 00	591 00		591 00				2
									136 00	68 00	204 00		204 00				3
396 00	100 00	6 August 1844							318 75	133 87	452 62		452 62				4
									171 00	104 88	275 88			275 88			5
	30 00	27 June 1843							500 00	422 60	922 60			922 60			6
									133 00	59 69	192 69				192 69	No suit brought 1st September, 1850. Note barred by Statute. Principal dead.	7
									247 31	121 68	368 99		368 99				8
								85 00	85 00	42 50	127 50				127 50		9
	65 00	1 Sept'r 1845	1,040 00	8 Oct'r 1847													10
			37 45	1 July 1847													11
			73 67	24 April 1848													12
																Assumed and renewed by E. T. Burr.	13
			475 00	26 August 1847												This note was not included in Mr. Cook's inventory.	14
									350 00	215 76	565 70			565 70			15
									833 00	540 01	1,373 01		1,373 01				16
									137 00	86 00	223 00			223 00			17
									104 00	63 34	167 34			167 34			18
									346 00	200 68	546 68			546 68			19
									365 00	211 70	576 70			576 70			20
									323 00	208 51	531 51		531 51				21
									243 00	147 42	390 42			390 42			22
								85 00	85 00	51 84	136 84				136 84		23
								50 00	50 00	34 00	84 00				84 00		24
								67 00	67 00	38 41	105 41				105 41		52
								95 00	95 00	54 50	149 50				149 50		26
									213 00	107 00	320 00		320 00				27
									247 00	123 50	370 50			370 50			28
			84 01	Various.	88 71	1 July 1850	25 July 1850		88 71	1 74	90 45	90 45					29
																Assumed and renewed by Edwin T. Burr.	30
									300 00	130 00	430 00		430 00				31
			1,596 36	8 June 1848													32
									864 00	432 00	1,296 00			1,296 00			33
			109 53	March 1847	100 00	15 March 1848	23 June 1849		100 00	20 33	120 33	120 33				New note executed by D. C. West, as principal, and J. H. Peel and Sam'l W. Peel, as securities.	34
									325 00	150 25	484 25			484 25			35
			86 80	Sept. 1848													36
									70 00	27 54	97 54			97 54		Judgment before C. D. Cook, J. P.	37
																Assumed by W. C. Bevens, and renewed by him.	38
			663 47	10 April 1849													39
			410 00	2 March 1848												Nos. 37, 39 and 40, assumed by W. C. Bevens, and renewed by him.	40
			147 93	1 July 1848													41
			465 00	22 April 1847													42
160 00									160 00	54 13	214 13		214 13				43
									1,000 00	1,162 22	2,162 22				2,162 22		44
																	45
									8,000 00	5,843 53	13,843 53		13,843 53				

[B.] Continu

PRINCIPAL ON NOTE.	SECURITIES ON NOTE.	Note, when due.	Amount of Notes.	Date of Bank Attorney's receipt now in Bank.	Name of Bank Attorney.	Date of Judgment rendered in favor of the Bank.	Parties against whom Judgment was rendered in favor of the Bank.	Amount of note on which judgment was rendered in favor of the Bank.	Amount of note on which final judgment was rendered against the Bank.	Date of judgment rendered against the Bank.	Amount of note on which the Bank took a non-suit on a rule of the Court, to compel her to give security for costs.	Date of non suit.	Date of the institution of non suit under the 24th sec. of the *"Limitation"* Act.	County in which non suit was taken.	County in which suits are now pending.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and remain undetermined.	Amount of notes on which judg
99 Dickinson W H	Tho. S Carter and Henry Neill	25 June 1842	$ 207 00	March 20 1849	W C Bevens			$	$		$ 207 00	May 1848	March 1849	Independence,	Independence	$	$
100 Dearman John	Wm S Hynson and N T Hynson	29 Oct'r 1841	190 00	March 20 1849	same												
101 Dye Henry C	A S Dye, J Hulsey, J Drennen and J Lawrence	1 May 1843	393 00	March 20 1849	same						393 00	May 1848	March 1849	Independence	Independence		
102 Davis William	J H Reese, H B Temple and Joshua Lee	18 Jan'y 1843	377 00	June 15 1849	same						377 00	May 1848	March 1849	same	same		
103 Dye Henry C	W B J Flournoy and H Holdaway	23 March 1842	225 00	March 20 1849	same						225 00	May 1848	March 1849	same	same		
104 Dickinson W H	John Minkin and Ulysses Merchant	1 August 1842	112 00	October 6 1849	same				112 00	Unknown							
105 Daugherty David	F C Fulcher and Isaac Gray	8 March 1843	80 60	April 4 1849	same												
106 Drew Thomas S	J H Rives and A C Kelly	29 April 1843	2,476 00	April 26 1843	same										Independence		
107 Day Williams & Co	D W Lowe and W H Hunt	1 Sept'r 1845	462 50	October 6 1849	same										same		
108 Davis, Gabriel	D W Wilson, S Brown and Silas Cornwall	1 July 1844	76 00	April 4 1849	same												
109 Duer William	Isaac Wren and S H Criswell	1 July 1844	405 65	Sep'r 24 1849	same										Izard		
110 Dillingham A	J F Moore and J H Egner	1 July 1844	206 00	Sept'r 24 1849	same	Unknown	Estate of Dillingham in Probate,	206 00									
111 Dillard Wm	Thomas Dillard and Mary Dillard	7 July 1844	170 00	Feb'y 27 1849	same	March 17 1849	Wm Dillard,	170 00									
112 Denton Jonathan	Wm M Wolf and Geo W Wolf	1 Jan'y 1845	90 00	April 2 1849	same												
113 Daugherty A S	Hawkins Rice and F C Fulcher	1 July 1845	141 26	Oct'r 6 1849	same												
114 Deloach Josiah	H H Means, W B Means, J Loupe, W Delauch and L L Dean	12 Mar. 1845	1,333 33	}											Jackson		
115 same	same same same same same	12 March 1845	1,333 33	}													
176 same	same same same same same	12 March 1845	1,333 33	}													
117 Denton Wm F	Jos H Egner and John Ringgold	4 August 1843	1,350 00						1,350 00	August 1845							
118 Dickinson W H	Benj Dickinson and T Dickinson	19 Dec'r 1841	1,226 00						1,226 00	August 1845							
119 same	same	28 Dec'r 1842	209 00	March 20 1849	W C Bevens				209 00	August 1845							
120 Durrum R S	W B J Flournoy and Ja's E Pelham	7 March 1842	47 00	Nov'r 12 1842	W Johnston, C												
121 Dunman H	John Waggoner and Wm Hammond	9 March 1841	85 00	April 9 1841	T S Carter, C												
122 same	W H Dickinson and J Brundrett	24 Feb'y 1841	170 00			August 11 1841	Dunman, Dickinson & Brundrett,	170 00									
123 Dorris J S	Saunders Hunter and John Halbert	10 Dec'r 1841	170 00			Dec'r 10 1841	Dorriss, Hunter and Halbert,	170 00									
124 Dickinson W H	Ulyssis Merchant and Tho S Carter	13 July 1842	157 00				Dickinson, Merchant and Carter,	157 00									
125 Elkins Thoret	Dan'l C Ruddle and Wm Byers	12 Jan'y 1843	133 00			August 4 1847	Elkins,	133 00									
126 Elms James F	Jonathan Johnson and S Cornwall	18 March 1843	193 00	March 20 1849	W C Bevens						193 00	May 1848	March 1849	Independence	Independence		
127 Engles Henry A	Andrew Allen, Jr. and S R Hynson	28 June 1843	323 00	June 15 1849	same												
128 Egner Jos H	Wm F Denton and C F M Noland	26 July 1844	1,500 00	Feb'y 27 1849	same										Independence		
129 Engles Peter, Sr	John Minikin and W D Engles	25 Oct'r 1845	184 00	Feb'y 27 1849	same												
130 Elliott Wright W	W B Hay, W C Trice and E H Fletcher	8 August 1839	3,000 00			June 10 1841	Elliott, Hay, Trice and Fletcher,	3,000 00									
131 Foster John	Edwin R McGuire and W F Denton	29 July 1843	617 00	March 20 1849	W C Bevens						617 00	May 1848	March 1849	Independence	Independence		
132 Fleming James	Andrew Waggoner and John Waggoner	3 Nov'r 1841	114 00	June 15 1849	same						114 00	same	same	same	same		
133 Fulcher F C	Elias B Roddy, D W Waters and J Tayman	9 August 1842	771 00	March 20 1849	same						771 00	same	same	same	Jackson		
134 Foster William	W Johnson and S B Wycough	1 July 1844	105 45														
135 Folsom Isaac	John T Smith and Wm Byers	1 July 1844	484 50	Feb'y 27 1849	W C Bevens					Sept'r 1849					Independence		
136 Fulkerson W M	Daniel Mitchell and Nich's H Izard	4 June 1839	750 00			Dec'r 3 1839	Fulkerson, Mitchell and Izard,	750 00									
137 Fulcher Fred C	Elias B Roddy	Unknown	500 00			June 14 1842	Fulcher and Roddy,	500 00									
138 Goodman Jessy	Allen Flippin and Tho A Flippin	25 Nov'r 1842	290 00	June 15 1849	W C Bevens						290 00	May 1848	April 1849	Independence	Marion		
139 Garner Chas J	L Williams, Geo Counts and Tho J Carter	8 August 1842	451 00	June 15 1849	same												
140 Goodman Z P	Jesse Goodman and Allen Flippin	15 Sept'r 1842	70 00	April 4 1849	same												
141 Garrett Prior	Drury Wilson and Geo Thompson	1 July 1844	171 00														
142 Grooms Isaac	Henry Neill and Nicholas Long	1 July 1844	120 65	Feb'y 27 1849	W C Bevens	March 15 1849	Grooms, Long and Neill,	120 65									
143 Gregory Erastus	Lyman G Spinks and E H Gregory	1 July 1844	457 20	Feb'y 27 1849	same	Nov 29 1847	Spink,	457 20									
144 Gray John	Izaac Gray and Jesse Gray	10 July 1844	247 00	Sept'r 24 1849	same					1849					Jackson	247 00	
145 Gill George, Sr	Geo Gill, jr. and John C Gill	4 July 1847	143 80		same												
146 Glenn M W	W J Hassell and James Wilson	7 August 1845	67 44														
147 Gatton John L	A Dunn and W R Lafferty	1 Sept. 1845	1,160 00	Oct'r 6 1849	W C Bevins										Independence		
148 Greer Andrew J	Andrew J Neely and E C Frisby,	21 Feb 1840	253 13			June 14 1841	Greer, Neely and Frisby	253 13									
149 Hynson Wm S	Wm Byers and James Pope	1 July 1844	785 20	Oct'r 6 1849	W C Bevins										Independence		
150 same	A P Sherrill and Daniel J Chapman	1 July 1844	403 75	Feb'y 27 1849	same										same		
151 Hotchkiss H K	D F Jones and J Woodrome	25 Jan 1843	246 00	June 15 1849	same						246 00	May 1848	March 1849	Independence	same		
152 same	same and Drury Wilson	26 Oct 1842	100 00	April 4 1849	same												

ontinued.

Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and remain undetermined.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and reversed, and now pending in the Circuit Court.	Amount paid on notes and judgments before the 10th Feb., 1847, so far as shown by the books.	Date of credit for money paid before the 10th Feb., 1847.	Amount paid into Bank, since the 10th Feb'y, 1847	Date of payment made since 10th Feb'y, 1847,	Amount of note taken in renewal since the 10th Feb'y, 1847.	New note, when due.	New note, when placed in Attorney's hands for suit by Receiver.	Notes turned over to Receiver at Little Rock as lost, by the Attorney, also on which suits were dismissed for insolvency.	Total amount of notes due the Bank on 1st Oct., 1850.	Interest due on all notes on 1st October, 1850.	Principal and interest due on all notes on the 1st Oct., 1850.	Amount supposed to be solvent.	Amount supposed to be Doubtful.	Amount supposed to be insolvent.	Amount supposed already Lost.	REMARKS.	
																		99
										$ 207 00	$ 136 85	$ 343 85			$ 343 85			100
									190 00	190 00	135 54	325 54				325 54		101
										393 00	236 18	626 18		626 18				102
										377 00	231 00	608 06		608 06				103
										225 00	153 34	378 34		378 34				104
										112 00	73 17	185 17				185 17		105
									80 60	80 60	48 68	129 28				129 28		106
		4 00	July 1 1842							2,472 00	1,466 72	3,938 72		3,938 72				107
										462 50	188 08	650 58	650 58					108
									76 00	76 00	38 00	114 00				114 00		109
										405 65	202 82	608 47		608 47				110
										206 00	103 00	309 00	309 00					111
										170 00	85 00	255 00		255 00				112
										90 00	41 40	131 40		131 40			This note is good if it is not barred by Statute........	113
										141 26	59 32	200 58		200 58				114
																		115
				2,550 00	May 26 1847											2,156 00	The $2,550 was received by the officers of the Branch Bank, in full discharge for this debt........	116
																		117
										1,350 00	772 74	2,122 74				2,122 74		118
										1,226 00	887 89	2,113 89				2,113 89		119
										209 00	129 58	338 58				338 58		120
										47 00	32 26	79 26				79 26		121
										85 00	64 97	149 97				149 97		122
										170 00	130 33	300 33			300 33			123
										170 00	119 53	289 53			289 53			124
										157 00	103 08	260 08			260 08			125
										133 00	82 02	215 02		215 02				126
										193 00	116 30	309 30		309 30			Compromised with security, Allen, and took the amount stated in full payment of this note, and one due by S. R. Hynton for $558.	127
																		128
		1,000 00	July 1844	847 00						500 00	247 10	747 10			747 10		This note appears to be due to the Bank, but I do not know what situation it is in. If it has been collected, it has not been reported.	129
										184 00	74 61	258 61		258 61				130
										3,000 00	3,343 33	6,343 33			6,343 33			151
										617 00	353 74	970 74		970 74				132
										114 00	81 30	195 30		195 30			Principal is dead........	133
										771 00	502 18	1,273 18		1,273 18			Paid by S. B. Wycough, security........	134
																		135
				134 85	March 1 1848					484 50	242 25	726 75		726 75				136
	434 50									750 00	849 17	1,599 17			1,599 17		I cannot find this note on the books, and consequently cannot give its date........	137
										500 00	414 58	914 58			914 58			138
										290 00	189 14	479 14		479 14				139
									451 00	451 00	293 85	744 85				744 85		140
									70 00	70 00	45 03	115 03				115 03		141
																		142
				232 56	January 1 1849					120 65	60 32	180 97	180 97					143
										457 20	228 60	685 80		685 80				144
										247 00	122 95	369 95		369 95				145
247 00										45 47		43 55	43 55					146
				125 98	Various.	45 47	Sept'r 1 1851											147
				83 17	July 2 1848					1,150 00	467 66	1,617 66		1,617 66				148
										253 13	268 44	521 57			521 57			149
										785 00	392 50	1,177 50		1,177 50				150
										403 75	201 87	605 62		605 62				151
										246 00	149 24	395 24		395 24				152
									100 00	100 00	63 46	163 46				163 46		

[B] Contin

	PRINCIPAL ON NOTE	SECURITIES ON NOTES.	Note, when due.	Amount of Note.	Date of Bank Attorney's receipt now in Bank.	Name of Bank Attorney.	Date of Judgment	Parties against whom judgment was rendered in favor of the bank.	Amount of note on which judgment was rendered in favor of the Bank.	Amount of note on which final judgment was rendered against the Bank	Date of judgment rendered against the Bank.	Amount of note on which the B'k took a non-suit on a rule of the Court, to compel her to give security for costs.	Date of non-suit rendered in favor of the Bank.	Date of the institution of non-suit under the 24th sec. of the "limitation" Act.	County in which non-suit was taken.	County in which suits are now pending	Amount of notes on which judgment was rendered against the Bank, and by the attorney taken to the Supreme Court, and remain undetermined.
153	Hynton S R	Abr Allen Jr and Henry A Engles	Feb'y 19 1843	$ 558 00	June 15 1849	W C Bevens			$	$		$					$
154	same	Joseph Pentecost and Wm S Hynson	May 20 1823	288 00	Oct'r 6 1849	same											
155	Hughes Thomas	Wm L McGuire and A W Lyon	Feb'y 24 1843	475 00	June 15 1849	same						475 00	May 1848	March 1849	Independence,	Independence,	
156	same	same same	Aug. 2 1843	3,186 00	June 15 1849	same						3,186 00	same	same	same	same	
157	Holdaway Henry	Jas E Pelham and J H Brundrett	May 16 1842	475 00	March 20 1849	same				475 00	March 1850						
158	Hill John	John Ruddle and Sam'l R Hynton	July 1 1844	1,799 00													
159	Holderby Rich'd	Heury A Eengles and Robert Bates	June 18 1842	70 00	April 4 1849	W C Bevens											
160	Hall John	David Hall Sr and David Hall Jr	July 1 1844	135 00	Feb'y 27 1849	same				135 00	April 1849						
161	Hall David Jr	John Hall, Geo Pearson and Wm Pearson	July 1 1844	259 35	Feb'y 27 1849	same				250 35	April 1849						
162	Henderson J W	James B Lawrence and James Clark	July 1 1844	127 00	Feb'y 27 1849	same	Nov'r 29 1847	Henderson	127 00								
163	Hunt Henry W	Green H Shaw and Wm L McGuire	July 1 1844	752 60	April 4 1849	same											
164	same	D W Lowe and M W Baltimore	July 1 1844	902 50													
165	Holland Wm	James W Henderson and J B Lawrence	July 1 1844	114 00	Feb'y 27 1849	W C Bevens											
166	Harguss Wm	Elisha Baird and Wm Baird	July 1 1844	75 00													
167	Hayden S M	James H Patterson and John Simpson	July 1 1844	570 00	April 2 1849	W C Bevens											
168	Hightower J	S H Criswell, Jos Wren and Wm Hightower	July 1 1844	80 00	Sept'r 24 1849	same											
169	Harriss James A	H B Harriss and R B Harriss	July 1 1847	451 50		same											
170	Hynson Chas S	John Drennen and Henry R Hynson	Oct'r 24 1845	91 67													
171	Hatch Geo J	John Roddy and A J Daugherty	April 16 1846	110 00	Oct'r 6 1849												
172	Hay W B	Wm C Trice and Thomas F Hay	Aug. 8 1839	1,000 00		W C Bevens	Dec'r 23 1841	W B Hay and Trice	1,000 00								
174	Hargraves R H	J W Halbert and G B Myrick	June 13 1841	579 00						579 00	Unknown						
174	Hotchhiss H K	D F Jones, D Wilson, E Jones and W Johnson	Feb'y 4 1843	300 00						300 00	August 1845						
174	Holdaway Henry	John Brundrett and J Waggoner	July 1 1842	68 00	Nov'r 12 1842	W Johnston. Ct											
176	Holt Henry S	Ninrod Murphy and G B B Moore	Jan'y 8 1840	562 50			June 6 1840	Holt, Murphy and Moore	562 50								
177	same	same Wm Strong and same	Oct'r 22 1839	2,000 00			June 14 1842	Holt, Murphy and Srongt	2,000 00								
178	Hunter Sanders	Wm Burriss and J S Dorriss	June 16 1840	191 25			Dec'r 8 1840	Hunter, Burriss and Dorriss	191 25								
179	Hay Wm B	Andrew J Greer and Rawly Holson	July 29 1841	259 20			June 15 1842	Hay, Greer and Holson	259 20								
180	Holdaway H	E W Jordon and J H Brundrett	Aug. 3 1842	197 00			Dec'r 17 1842	Holloway, Jordan and Brundrett	197 00								
181	Hynson H R	W S Hynson and Jos Pentecost	March 21 1842	812 00			Dec'r 1 1842	Hynson, Hynson and Pentecost	812 00								
182	Howard Willard	Wm H Dickinson and J Flemming	Sept'r 10 1840	255 00			Aug. 10 1841	Howard, Dickinson and Flemming	255 00								
183	Izard N H	Wm Higgins and Nathan Martin	June 4 1839	750 00			Aug. 15 1845	Martin	750 00								
184	same	A D Burriss, R H Hargraves and T J Curl	March 27 1830	1,000 00			Dec'r 3 1839	Izard, Burriss and Hargraves	1,000 00								
185	same	H Higgins and Wm Martin	March 30 1839	1,000 00			June 12 1841	Izard, Higgins and Martin	1,000 00								
186	same	Nathan Martin	Unknown	464 50			Aug. 1 1845	Izard and Martin	464 50								
187	Jordan E W	W Johnston and John Miniken	Nov'r 6 1842	300 00	March 20 1849	W C Bevens						300 00	May 1848	March 1849	Independence,	Independence,	
188	same	Robt Bates and Joshua Lee	June 3 1842	380 00	March 20 1849	same					Sept'r 1849					same	
189	Johnson Jona	J S Walton and H Holdaway	June 14 1842	40 00	April 4 1849	same											
190	James Robert	John Cook and Milton Sanders	July 1 1844	75 00	Sept'r 24 1849	same											
191	Jeffrey James	Sam'l Caruthers Jr and Sam'l Caruthers Sr	July 1 1845	118 83	Oct'r 6 1849	same						118 83	Sept'r 1848	March 1849	Independence,	White	
192	Johnson Sam'l	Peyton Keezee and Michael Yochum	July 1 1844	342 00													
193	Jarbo Wm	James Newland and B F Payne	Nov'r 3 1844	256 00													
494	Johnson John L	W Adair, J L Cochran, D & J Slavens and J Bridges	Dec'r 27 1838	800 00			June 4 1839	All the parties	800 00								
195	Johnston Warren	B Watson and Wm Foster	March 7 1843	552 00			Aug 19 1845	Johnson, Watson and Foster	552 00								
196	Kavenaugh A L	Charles C Dairs and Thomas Black	Nov'r 11 1840	446 00			Dec'r 22 1841	Davies and Black	446 00								
197	Karr Wm B	John Plumlee and Wm Hightower	July 1 1846	34 37													
198	Lee Joshua	Robert Bates and M W Reinhart	Nov'r 3 1842	150 00	June 15 1849	W C Bevens					Sept'r 1849					Independence,	
199	same	Jas P Carter, Wm Johnson and E W Jordan	Jan'y 1 1842	1,253 00	Oct'r 6 1849	same											
200	same	F S Morrison and Abraham Allen	July 1 1844	1,212 50													
201	Lawrence John	T S Palmer and W Sharp	Oct'r 25 1842	270 00	March 20 1849	W C Bevens											
202	Lowe David W	Henry R Hynson and W S Hynson	May 2 1842	500 00													
203	same	Robt Williams	Jan'y 22 1842	300 00													
104	same	W Moore and H R Hynson	March 4 1842	1,200 00													
205	same	H R Hynson and A W Lyon	July 9 1842	900 00													
206	same	John Brown and W Moore	Dec'r 20 1842	900 00													

County in which suits are now pending	Amount of notes on which judgment was rendered against the Bank, and by the attorney taken to the Supreme Court, and remain undetermined.	Amount of notes on which judgment was rendered against the Bank, and by the attorney taken to the Supreme Court, and reversed, and now pending in the Circuit Court.	Amount paid on notes and judgments before the 10th Feb'y, 1847, so far as shown by the books.	Date of credit for money paid before the 10th February, 1847.	Amount paid into Bank since the 10th February, 1847.	Date of payment made since 10th February, 1847.	Amount of note taken in renewal since the 10th February, 1847.	New note, when due.	New note, when placed in attorney's hands for suit by Receiver.	Notes turned over to receiver at Little Rock as lost, by the attorney, also on which suits were dismissed for insolvency.	Total amount of notes due the Bank on 1st October, 1850.	Interest due on all notes on 1st October, 1850.	Principal and interest due on all notes on the 1st October, 1850.	Amount supposed to be solvent.	Amount supposed to be doubtful.	Amount supposed to be insolvent.	Amount supposed already lost.	REMARKS.	
	$	$	$		$		$			$	$	$	$	$	$	$	$	Compromised with Allen, the security, and took the amount placed opposite H A Engles, as payment in full of this note and Engle's, which see.	153
										288 00	288 00	169 56	457 56				457 56		154
pendence,											475 00	288 16	763 16		763 16			These debts are good if the Bank can obtain judgments to enforce the collection.	155
same											3,186 00	1,812 94	4,998 94		4,998 94				156
											475 00	318 24	793 24				793 24		157
											1,799 00	899 50	2,698 50				2,698 50	This note has been turned over from Receiver to Receiver as lost, and I suppose the amount due the Bank has gone with it.	158
										70 00	70 00	46 44	116 44				116 44		159
											135 00	67 50	202 50				202 50		160
			30 00	Feb'y 28 1843							259 35	129 67	389 02				389 02		161
											127 00	63 50	190 50		190 50				162
					1,032 52	1849													163
					1,204 67	Jan'y 19 1849													164
											114 00	57 00	171 00		171 00				165
																		I do not know what action has been had on this note.	166
											570 00	585 00	855 00	855 00				Assumed and renewed by E T Burr.	167
										80 00	80 00	40 00	120 00				120 00	To be exchanged for judgment vs. Bank.	168
					515 48	1849													169
					104 50	Sept'r 5 1849													170
											114 00	39 20	353 20		153 20				171
											1,000 00	1,114 44	2,114 44			2,114 44			172
											579 00	430 39	1,009 39				1,009 39		173
											300 00	183 74	483 74				483 74		174
											63 00	42 00	105				105 00		175
											562 50	602 95	1,165 45			1,165 45			176
											2,000 00	2,187 79	4,187 79			4,187 79			177
											191 20	196 82	388 07			388 07			178
											259 20	237 60	496 80			496 80			179
											197 00	160 72	357 72			357 72			180
											812 00	692 20	1,504 20				1,504 20	Hynson and Hynson are bankrupts, and Pentecost died insolvent.	181
											255 00	256 70	511 70			511 70			182
											750 00	849 18	1,599 18			1,599 18			183
											1,000 00	1,150 81	2,150 81			2,150 81		As I can find no note to correspond with this amount, it is supposed to be a bill of Exchange,	184
											1,000 00	1,150 00	2,150 00			2,150 00			185
											464 50	238 95	703 45			703 45		Interest calculated from the date of the judgment,–	186
ependence,											300 00	189 60	489 60			489 60			187
same		380 00									380 00	250 55	630 55			630 55			188
										40 00	40 00	26 53	66 53				66 53		189
										75 00	75 00	37 50	112 50				112 50		190
ite											118 83	49 56	168 39		168 39				191
					154 00	Dec'r 25 1847	300 00	July 1 1848			300 00	54 00	354 00	354 00				Assumed and renewed by Green H. Shaw,	192
											256 00	128 00	384 00		384 00			The Receiver, C. D. Cook, has not accounted for this note in any way that I can see. If it is yet in his hands, it is barred by statute.	193
											800 00	940 00	1,740 00						194
											552 00	417 45	969 45			969 45	1,740 00		195
					37 11	May 1847													196
											446 00	441 06	887 06			887 06			197
ependence,		150 00	313 44	Feb'y 28 1843							150 00	94 90	244 90			244 90			198
										1,253 00	1,056 50	640 94	1,697 44						199
																	1,697 44	Settled with land.	200
																			201
					766 00	Jan'y 1 1849													202
					468 00	Jan'y 1 1849													203
					1,856 00	Jan'y 1 1849													204
					1,368 00	Jan'y 1 1849													205
					1.406 00	Jan'y 1 1845													206

	PRINCIPAL ON NOTE.	SECURITIES ON NOTE.	Note, when due.	Amount of Notes.	Date of Bank Attorney's receipt now in Bank.	Name of Bank Attorney.	Date of Judgment rendered in favor of the Bank.	Parties against whom Judgment was rendered in favor of the Bank.	Amount of note on which judgment was rendered in favor of the Bank.	Amount of note on which final judgment was rendered against the Bank.	Date of judgment rendered against the Bank.	Amount of note on which the Bank took a non-suit on a rule of the Court, to compel her to give security for costs.	Date of non suit.	Date of the institution of non suit under the 24th sec. of the *"Limitation"* Act.	County in which non suit was taken.	County in which suits are now pending.
315	Smith J T	Isaac Folsom and D W Lowe	22 July 1842	$ 108 00					$	$		$				
316	same	same same	14 Sept. 1842	2,437 00												
317	Sherrill A P	James E Pelham	4 Feb'y 1843	300 00	15 June 1849	W C Bevens						300 00	May 1848	March 1849	Independence	Independence
318	same	W B J Flournoy, J Lee and Robert Bates	19 Jan'y 1843	330 00	15 June 1849	same					Sept'r 1849	330 00	May 1848	March 1849	same	same
319	same	A Sherrill and Andrew Caldwell	1 July 1844	270 75	27 Feb'y 1849	same					March 1850	270 75	May 1848	March 22 1849	same	same
320	same	same W S Hynson and E W Jordan	1 July 1844	369 00	Feb'y 27 1849	same						369 00	same	same	same	same
221	same	C S McKinney same	1 July 1844	167 00	Feb'y 27 1849	same					March 1850					
322	Smith Henry	Thos J Smith and Henry A Engles	26 Jan 1843	206 00	Oct'r 6 1849	same										
323	Summers Ewing	M W Reinhart and W S Hynson	29 June 1842	1,207 00	Oct'r 6 1849	same										
534	Sherrill Jacob L	John Ruddle, A P Sherrill and W S Hynson	5 August 1842	327 00	March 20 1849	same						327 00	May 1848	March 1849	Independence	Independence
325	Simpson Bird M	J. L. Johnson, H D & J Slavens, W. Hix, J. Reynolds, J L. [Cochran *et al.*	27 Dec'r 1838	800 00	Oct'r 6 1849.	same	4 June 1839	Slavens, Johnson, Hix, Reynolds, [Cockran *et al.*	800 00							
326	Sherrill Jacob L	A P Sherrill and John Ruddle,	12 July 1842	52 00	April 4 1849	same										
327	Smith John T	Isaac Folsom and D W Lowe	28 May 1842	100 00	April 4 1849	same										
328	Spikes Joseph	Wm Spikes and Jesse Spikes	1 July 1844	107 71	April 2 1849	same	May, 10 1850	Joseph and Jesse Spikes.	77 00							
329	Smithee Sam'l H	W Woodrome, E W Woodrome and John Woodrome,	1 July 1844	202 55	Feb'y 27 1849	same						202 35	May 1848	March T. 1849	Independence	Independence
330	Smally James F	Joseph Smally and Hardin Hulsey,	1 July 1844	261 00	24 Sept'r 1849	same										
331	Seamans Willaim	Sam'l R Hynton and Ulysses Merchant	1 July 1844	207 05	Feb'y 27 1849	same						207 05	May 1848	March 1849	Independence	Independence
332	Steen William	James Steen and John C Pugh	28 Sept'r 1844	369 35	Sept'r 24 1849	same				369 35	Unknown					
333	same	same same	18 March 1843	32 00	Sept'r 24 1849	same										
334	same	J H T Webb and Jeremiah Webb	1 July 1844	888 00	Sept'r 24 1849	same										Jackson
335	Sherrill Alfred	Alanson P Sherrill and S B Wycough	13 August 1844	444 00	April 2 1849	same						444 00	May 1848	March 1849	Independence	Independence
336	Simpson James	James Bagly and Henry Neill	7 Sept'r 1844	160 00	Feb'y 27 1849	same				160 00	March 1850					
337	Settles Josiah	P F Adams and E Adams	1 Oct'r 1844	256 00												
338	Scull James, Jr	S H Tucker and Wm Wright	8 March 1847	3,516 13												
339	Shaw Green H	H W Hunt and E T Burr	June 25 1846	65 00												
340	same	Edwin T Burr	19 Sept'r 1847	48 50	Sept'r 21 1849	W C Bevens										
341	Sams J J	Thomas Culp and Sam'l J Mason	7 July 1846	330 00	April 2 1849	same					1849					Izard
342	Stone W H	W H Zollickoffer and W S Hynson	1 Nov'r 1847	863 59	Sept'r 21 1849	same	Sept'r 10 1849	All the parties.	863 59							
343	Strong William	W Dobson, A D Burriss, T J Curl and B M Dorriss	3 June 1840	1,500 00						1,500 00	Unknown.					
344	Snider Henry	Jos Drennen and H K Hotchkiss	5 August 1842	85 00	Nov'r 12 1842	W Johnston, C.										
345	Slavens Henry	Jas Slavens, Jno L Cockran and Jno L Johnston	27 Dec'r 1838	150 00			4 June 1839	H & J Slavens, Cochran & Johnston	150 00							
346	Stuble Conrad	Josh R James and Jesse Miller	16 Feb'y 1839	300 00			5 June 1839	Stubbles, James & Miller,	300 00							
347	Strong William	W C Dobson and A D Burriss	3 June 1840	375 00			8 Dec'r 1840	Strong, Dobson and Burriss,	375 00							
348	same	B M Dorriss and Tho J Curl	11 August 1840	956 00			14 June 1842	Strong,	956 00							
349	Seamans W	L L Parks and Philip Crise	28 Dec'r 1841	324 00			17 Dec 1842	Seaman, Parks and Crise,	324 00							
350	Tucker Jackson	Stith Tucker and A G McFarland	27 Oct'r 1841	286 00	March 20 1849	W C Bevens										Jackson
351	same	W B J Flournoy and W M Calhoun,	22 July 1841	210 00	Oct'r 6 1849	W C Bevens										
352	Terry Alfred	Moses H Blue and Robert James	11 June 1842	270 00			Nov'r 23 1847	Robert James,	270 00							
353	Tunstall T T	W W Tunstall and Wm F Denton	8 August 1842	900 00	March 20 1849	W C Bevens					Nov'r 1849					Jackson
354	same	same same	29 Dec'r 1842	2,570 00	March 20 1849	W C Bevens					Nov'r 1849					same
355	Tucker Peyton	James E Pelham and W B J Flournoy	11 May 1841	296 00	March 20 1849	W C Bevens						296 00	May, 1848,	March 1849	Independence	Independence
356	Turney Pleasant	S B Wycough and W P Morris	5 July 1846	90 00	April 4 1849	W C Bevens										
357	Terry Jesse	Wm Magness and John Arnold	26 May 1845	240 73	Septr 24 1849	W C Bevens										White
358	Terrell Orrin	Joseph H Egner and Wm L McGuire	1 July 1844	49 56	Sept'r 24 1849	same										
359	Thompson Peter	Thomas D Wood and Robert Lowther	1 July 1844	293 10	Feb'y 27 1849	same				293 10	April 1849					
360	Turman J W	Bright Turman and JohnR Turman	1 July 1844	435 25	Feb'y 27 1849	same										
361	Tayman John	George Eder and Fred. C. Fulcher,	23 August 1847	534 05	Sept'r 24 1849	same					1849					Jackson
362	Temple Wm B	John C Alford and Wm L McGuire	1 August 1844	530 00	Sept'r 27 1849	same						530 00	May, 1848,	March 1849	Independence	Independence.
363	Trimble J H	Thomas S Carter and Thos Wright	1 Oct 1844	90 00	April 4 1849	same										
364	Titsworth C G	John Tittsworth and S W Sullivan	1 July 1844	183 00	Feb'y 27 1849	same										
365	Thompson Geo	Aden Sloan and Prior Garrett	1 July 1845	125 78												Independence
366	Tutt Hansford	Davis K Tutt and Thos D Wood,	1 July 1844	223 00												
367	Thompson Geo	John Ringgold and J H Egner	1 July 1845	69 90												
368	Tunstall W W	Thomas T Tunstall and Wm F Denton	1 July 1845	201 07	Sept'r 24 1849	W C Bevens						201 07	May, 1848,	May 1849,	Independence	Jackson

to the Supreme Court, and remain undetermined.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and reversed, and now pending in the Circuit Court.	Amount paid on notes and judgments before the 10th Feb., 1847, so far as shown by the books.	Date of credit for money paid before the 10th Feb., 1847.	Amount paid into Bank, since the 10th Feb'y, 1847	Date of payment made since 10th Feb'y, 1847,	Amount of note taken in renewal since the 10th Feb'y, 1847.	New note, when due.	New note, when placed in Attorney's hands for suit by Receiver.	Total amount of notes due the Bank on 1st Oct., 1850.	Interest due on all notes on 1st October, 1850.	Principal and interest due on all notes on the 1st Oct., 1850.	Amount supposed to be solvent.	Amount supposed to be Doubtful	Amount supposed to be insolvent.	Amount supposed already Lost.	REMARKS.	
	$	$		$ 871 00	Jan'y 1 1849,	$			$	$	$	$	$	$	$		207
									75 00	37 50	112 50				112 50		208
									51 30	25 65	76 95				76 95		109
				55 80	Sept'r 20 1847,	100 00	August 10 1848,	Sept'r 21 1849	100 00	17 10	117 10	117 10					210
									422 00	177 24	599 24		599 24				211
				647 70	Various	759 97	August 24 1850,		759 97	6 07	766 04	766 04				The sum of $519 51, was paid to C. D. Cook, before the note was placed in suit.	212
									120 00	73 20	193 20				193 20		213
000 00									2,000 00	1,393 32	3,393 32		3,393 32				214
									7,466 00	4,680 36	12,146 36		12,146 36				215
									146 00	95 38	241 38			241 38			216
																Paid the Bank in land.	217
																	218
																	219
																	220
																	221
									200 00	120 44	320 44		320 44				222
									160 00	93 86	253 86		253 86			This note may be paid, but I cannot find any credit on the books.	223
									378 00	230 16	608 16		608 16				224
									384 00	234 24	618 24		618 24				225
									4,783 00	2,944 19	7,727 19		7,727 19				226
									342 00	215 90	557 90			557 90			227
									450 00	279 00	729 00			729 00			228
									76 00	46 50	122 50				122 50		229
									76 00	45 00	121 00				121 00		230
									80 00	48 16	128 16				128 16		231
									90 00	61 50	151 50				151 50		232
									131 00	76 14	207 14		207 14				233
									270 00	153 00	423 00				423 00		234
									6,430 00	3,215 00	9,645 00		9,645 00				235
									148 00	74 00	222 00				222 00		236
									163 00	81 50	244 50				244 50		237
									152 00	76 00	228 00		228 00				238
									220 00	110 00	330 00		330 00			Good if judgment can be obtained.	239
	152 00								282 00	139 44	421 44		421 44				240
																	241
																	242
				1,063 80	Jan'y 1 1849,				190 00	80 01	270 01	270 01					243
				1,390 50	Jan'y 1 1849,												244
																Paid in land.	245
				264 00	March 18 1847,												246
																Paid in land.	247
				374 50	1847 and 1846,				96 00	75 05	171 05				171 05	I know nothing of this note, but judge it is lost, or it would have been paid before this time.	248
									1,000 00	1,184 05	2,184 05			2,184 05			249
									750 00	804 58	1,554 58			1,554 58			250
									375 00	402 00	777 00			777 00			251
									600 00	641 33	1,241 33			1,241 33			252
									1,125 00	1,173 43	2,298 43			2,298 43			253
									120 00	111 00	231 00		231 00				244
									190 00	164 66	254 66		354 66				255
									200 00	178 33	378 33		378 33				256
									2,944 00	1,858 00	4,802 00		4,802 00				257
									1,100 00	550 00	1,650 00		1,650 00				258
									1,128 00	564 00	1,692 00		1,692 00			[and several other notes.	259
				511 71	1849											Assumed by E. T. Burr, and renewed by W. C. Bevens, who put in new note for $1,060, to pay this	260

[C.]

A TABLE, exhibiting the Bills and Notes of the Arkansas Branch of the State Bank; the time they were due; the amount due; the amount paid into Bank and credited on the note, when placed in the hands of th
Dorriss, Bank Attorney, date of such collection by Dorriss; Notes that were turned over by Mary J. Dorriss, Executrix of the estate of M. W. Dorriss, deceased; to Thomas N. Byers, Esq., Attorney for said Ban
money collected by Thomas N. Byers, Esq., as Bank Attorney; the amount of new Notes taken by him, and when they fall due; the amount of interest due on notes and judgments on 1st October, 1850; the total a

PRINCIPAL ON NOTE.	SECURITIES ON NOTE.	Note, when due.	Amount of Notes.	Amount paid into Bank and credited on note, or should be credited.	Date of Bank attorney's Receipt, when note was placed in his hands for suit.	Amount of note as shown by the receipt of Bank Attorney.	Note when due, as shown by Attorney's receipt.	Name of Bank Attorney.	County in which judgment was obtained.	Amount of money collected by M W Dorriss.	When such money was collected by Dorriss.	Amount of notes turned over to T N Byers by Mary J Dorriss.	Notes turned over to Byers, when due.	Amount of credits due on notes received by Byers.	Date of credits on and due on notes turned over to Byers.	Cash collected by T N Byers as Bank Attorney.
1 Applegate Wm H	Leonidas L Johnson and Greenville Gaines	July 6 1840	$1,200 00	$	Receipt not dated	1,200 00		Jas Yell	Phillips	$		$				$
2 Alexander David	J Harman and D G W Leavitt	June 14 1846	667 00	235 00	May 17 1849	500 00	June 15 1848	W M Dorriss		304 60	not given.	250 00	June 15 1850			
3 Bradford Wm H	Ignace Bogy and Arthur Whitfield	June 15 1844	1,850 00	1,122 10	May 17 1849	1,150 00	June 15 1848	same	Jefferson	313 00	not given,	1,850 00	June 15 1844	1,435 10	various,	
4 Bennett Morrill & Co	Geo B Watson Jr. and Jos Bennett	June 15 1844	4,780 00	1,950 00	July 21 1845	4,780 00	June 15 1844	same		1,360 00	January 1 1848	4,780 00	June 15 1844	3,310 00	1846 and 1848	2,840 38
5 Barraqe Antoine	J J Hammett, W R Drope and R McCall	Feb'y 24 1846	1,550 00		Dec'r 16 1847	1,550 00	Feb'y 24 1846	same				1,550 00	Feb'y 24 1846			
6 Burriss John M	William Strong	Feb'y 16 1841	1,100 00		none in Bank				Phillips							
1 ....same	S C Mooney, G Broadnax and A J Greer	July 30 1840	400 00		none in Bank				Phillips							
8 Craig Waldo P	S P Craig, F Hanks and J G Aldridge	Jan'y 13 1840	450 00		none in Bank			T Farrelly	Arkansas							
9 Connell Robt S	J Thompson Jr, Jas Clark and B Thompson	Oct'r 3 1839	300 00		none in Bank			A Pike	Arkansas							
10 Clark James (Mon. co.)	J Thompson Jr, R S Connell and B Thompson	Oct'r 3 1839	1,300 00		none in Bank			A Pike	Arkansas							349 30
11 Caulk Benjamin	(Securities not named in receipt.)	March 28 1846	270 00		Dec'r 16 1847	270 00	March 28 1846	M W Dorriss	Arkansas			270 00	March 28 1846			423 45
12 Craig Silas P	W M Bostic and W G Roper	May 15 1848	500 00		May 17 1849	500 00	May 15 1848	same		128 00	not given,	500 00	May 15 1848	128 00	not given,	
13 Clifton Uriah	James Smith and Richmond Peeler	June 15 1844	35 00	6 17	May 17 1849	31 00	June 15 1845	same				35 00	June 15 1844	6 17	June 15 1844	
14 Clark James (Chicot co.)	A W Goodloe and A K Miller	June 15 1847	7,490 00	1,500 00	May 17 1849	6,440 00	June 15 1848	same				7,490 00	June 15 1847	1,500 00	June 15 1847	
15 Campbell C W	C C Stewart and R W Campbell	June 15 1848	3,000 00		May 17 1849	3,000 00	June 15 1848	same		675 00	not given,	3,000 00	June 15 1848	675 00	not given,	550 00
16 Dardenne Abraham	James Scull Jr, and F N Vaugine	March 8 1847	300 00		Dec'r 16 1847	300 00	March 8 1847	same		1,468 94						
17 ....same	....same..........Francis Dardenne	March 1 1847	2,962 00		Dec'r 16 1847	2,962 00	March 1 1847	same			1848 and 1849	2,962 00	March 1 1847	637 00	March 1 1848	
18 Dean Robert C	Wm D Ferguson and Jos C Dean	Aug 2 1841	600 00		Receipt not dated	600 00	Aug 2 1841	James Yell	Arkansas							
19 DeBaun James	Ignace Bogy and Drew White	June 15 1848	640 00		May 17 1849	640 00	June 15 1848	M W Dorriss		677 00	April 1849					
20 Diamond William	Mortgage on real estate	Sept'r 15 1844	332 50		Aug 10 1845	332 50	Sept'r 15 1844	same		227 27	3d April 1848	200 00	April 3 1849			
21 Durr Thomas	Mortgage on real estate	March 28 1845	1,152 00		July 21 1845	1,152 00	March 28 1845	same	Desha	100 00	6th May 1846					
22 Davis Sam'l H	Jno H Lenox and Sam'l Wells	Feb'y 24 1846	650 00		Dec'r 16 1847	650 00	Feb'y 24 1846	same	Arkansas			650 00	Feb,y 24 1846			115 96
23 Edington Haley S	Abr Knowlton and E Cheatham	Aug 11 1841	800 00		Receipt not dated	800 00	Aug 11 1841	James Yell	Desha							
24 ....same	....same..........same	Feb'y 16 1843	180 00		Feb'y 18 1844	180 00	Feb'y 16 1843	M W Dorriss	Desha							
25 Eaton John	Garland Hardwick and Wm Wright	July 27 1841	240 00	120 00	Feb'y 18 1844	120 00	July 27 1841	same		150 40	September 1844					200 00
26 Embree Israel	Jordan N Embree and S C Roane	July 16 1847	140 00		May 17 1849	140 00	July 15 1847	same		159 00	not given,					200 00
27 Freeman Hamlin	Geo B Watson Sr, and Joab Mitchell	July 23 1840	640 00		Aug 5 1841	640 00	July 23 1840	James Yell	Desha	134 00	Mar' 48, Apr '49					.166 52
28 Felts James W	Mortgage on real estate	June 15 1844	420 00	100 65	May 18 1849	375 00	June 15 1847	M W Dorriss				375 00	June 15 1846			1,785 00
29 Flynn William	S R Flinn and R W Holland	Sept'r 12 1847	840 00	189 00	May 17 1849	700 00	June 15 1848	same		188 50	not given,	700 00	Sept'r 15 1848	188 50	no credit given	
30 Farrelly Terrence	Fred. Notrebe and L L Refeld	June 15 1847	4,090 00	2,557 00	May 17 1849	1,433 00	Jan'y 1 1848	same				4,090 00	June 15 1847	2,557 00	Jan'y 1 1848	
21 Ford John B	R H Yeatts and Thos B Hanly	Jan'y 21 1843	300 00	300 00	Feb'y 18 1844	300 00	Jan'y 21 1843	same								
32 Greenwood Moses	Geo B Watson Jr, and Jos Bennett	June 15 1846	997 04		Dec'r 16 1847	997 04	June 15 1846	same		1,136 62	25th June 1848					
33 Goodloe A W	Benj Taylor and Joel Johnson	June 15 1847	900 00		Dec'r 16 1847	900 00	June 15 1847	same				900 00	June 15 1847			
34 Greer Andrew J	Stuart C Mooney and G Broadnax	July 21 1840	480 00		Not dated	480 00	July 21 1840	James Yell	Phillips							
35 Harris James M	John Malpass and D G W Leavitt	June 15 1844	170 00		Dec'r 16 1847	170 00	June 15 1845	M W Dorriss				170 00	June 15 1844			
36 Henton Hugh C	John Malpass, Fred. Von Nauen dorff and J McLain	Sept'r 30 1841	270 00		Not dated	270 00	Sept'r 30 1841	James Yell	Desha	392 00	not given,					
37 ....same	Wm Sexton and Geo B Wntson Jr	Feb'y 1 1842	300 00		June 27 1844	300 00	Feb'y 1 1842	M W Dorris	Desha							
38 Hanley Thos B	Isaac Taylor and John Clark	Sept'r 4 1841	600 00		Feb'y 18 1844	600 00	Sept'r 4 1841	same								

Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and remain undetermined.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and reversed, and now pending in the Circuit Court.	Amount paid on notes and judgments before the 10th Feb., 1847, so far as shown by the books.	Date of credit for money paid before the 10th Feb., 1847.	Amount paid into Bank, since the 10th Feb'y, 1847	Date of payment made since 10th Feb'y, 1847,	Amount of note taken in renewal since the 10th Feb'y, 1847.	New note, when due.	New note, when placed in Attorney's hands for suit by Receiver.	Notes turned over to Receiver at Little Rock as lost, by the Attorney, also on which suits were dismissed for insolvency.	Total amount of notes due the Bank on 1st Oct., 1850.	Interest due on all notes on 1st October, 1850.	Principal and interest due on all notes on the 1st Oct., 1850.	Amount supposed to be solvent.	Amount supposed to be Doubtful.	Amount supposed to be insolvent.	Amount supposed already Lost.	REMARKS.	
$	$	$		$		$			$	$	$	$	$	$	$	$		
																	These two notes of Smith's were paid by D. W. Lowe, Esq., in real estate.	315
																		316
										300 00	184 00	484 00		484 00			Very	317
	330 00									330 00	213 13	543 13		543 13				318
	270 75									270 75	135 37	406 12		406 12				319
167 00										369 00	184 50	553 50		553 50				320
										167 00	83 50	250 50		250 50				321
										206 00	126 34	332 34				332 34	Mr. Bevens thinks this note was paid previous to Feb., 1847, but I cannot find any thing on the [books to show it. It is now barred.	322
									1,207 00	1,207 00	796 62	2,003 62				2,003 62		323
										327 00	213 50	540 50		540 50				324
										800 00	940 00	1,740 00				1,740 00		325
									72 00	72 00	47 28	119 28				119 28		326
									100 00	100 00	66 66	166 66				166 66		327
				30 00	May 31, 1848,					77 00	47 88	124 88			124 88			328
										202 35	101 17	303 52		303 52				329
				151 45	1 Oct'r 1849	235 62	Oct'r 1 1850			235 62		235 62	235 62				Assumed by P. P. Burton. New note in Bank.	330
										207 05	103 52	310 57		310 57				331
										369 35	177 40	546 75				546 75		332
									32 00	32 00	19 30	51 30				51 30		333
										888 00	444 00	1,332 00			1,332 00			334
										444 00	217 50	661 50		661 50				335
										160 00	77 60	237 60				237 60		336
				349 00	Sept'r 1848												This note, Mr. Cook says, he forwarded to Col. Thornton, late Receiver at Little Rock, but it cannot be found. I have ordered suit on it as a last note. Scull claims an offsett. The collection is therefore doubtful, but the parties are good.	337
										3,516 00	1,001 66	5,517 66		4,517 66				338
				80 40	April 10 1849													339
										48 50	11 86	60 36	60 36					340
	330 00									330 00	111 60	441 60		441 60				341
										863 00	201 37	1,064 37		1,064 37				342
										1,500 00	1,248 00	2,748 00				2,748 00		343
										85 00	55 50	140 50				140 50	This was given by Constable Johnston, to James Pope, Attorney for the Bank.	344
										150 00	176 25	326 25				326 25		345
										300 00	348 50	648 50				648 50		346
										375 00	386 46	761 46				761 46		347
										956 00	968 00	1,924 00				1,924 00		348
										324 00	282 50	606 50			606 50			349
										286 00	204 02	490 02			490 02			350
									210 00	210 00	154 35	364 35				364 35		351
										270 00	179 35	449 35			449 35			352
	900 00									900 00	586 40	1,486 40		1,486 40				353
	2,570 00									2,570 00	1,695 26	4,265 26		4,265 26				354
										296 00	222 26	518 26		518 26				355
										90 00	30 50	120 50		120 50			Suit pending before a Justice of the Peace.	356
										240 73	102 72	343 45		343 45				357
									49 56	49 56	24 78	74 34				74 34		358
										293 10	146 55	439 65				439 65		359
										435 25	217 62	652 87				652 87	This debt could have been collected, when due.	360
534 05										534 05	132 54	666 59		666 59			This note was originally $685 00.	361
										530 00	265 00	795 00		795 00			No suit instituted 1st September, 1850. Note barred by statute, if the parties avail themselves of the privilege.	362
										90 00	43 20	133 20		133 20				363
										183 00	91 50	274 50			274 50		Assumed by E T Burr, and renewed by W. C. Bevens. See note for $1,060.	364
																	So far as I can see, from the books, Mr. Cook has not accounted for this note. He collected $200 00 on 20th March, 1847, but has never accounted for it, as I can see.	365
										23 00	69 20	92 20		92 20				366
																	Assumed by E. T. Burr, and renewed by W. C. Bevens. See note for $1,060.	367
										201 07	84 42	285 49		285 49			This note was originally for $227 00, due 1st July. 1844.	268

[B.] Contin

	PRINCIPAL ON NOTE.	SECURITIES ON NOTE.	Note, when due.	Amount of Notes.	Date of Bank Attorney's receipt now in Bank.	Name of Bank Attorney.	Date of Judgment rendered in favor of the Bank.	Parties against whom Judgment was rendered in favor of the Bank.	Amount of note on which judgment was rendered in favor of the Bank.	Amount of note on which final judgment was rendered against the Bank.	Date of judgment rendered against the Bank.	Amount of note on which the Bank took a non-suit on a rule of the Court, to compel her to give security for costs.	Date of non suit.	Date of the institution of non suit under the 24th sec. of the "Limitation" Act.	County in which non suit was taken.	County in which suits are now pending.	Amount of notes on which judgment was rendered against the bank, and by the Attorney taken to the Supreme Court, and remain undetermined.
207	Lowe David W	W H Hunt and Robt Williams	1 Oct'r 1844	$ 650 00					$	$		$					$
208	Lafferty John L	W R Lafferty and Silas Cornwall	1 July 1844	75 00	4 April 1849	W C Bevens											
209	Lafferty A R	W L McGuire and G H Shaw	1 July 1844	51 30	4 April 1849	same											
210	Long Nicholas	Isaac Grooms and Henry Neill	10 August 1844	120 00		same											
211	Laughridge Ja's	Miles Williams and S Williams	1 July 1845	422 00			March 10 1850,	Laugh[illegible]e,	422 00								
212	Lyon A W	Samuel Norris and E W McGuire	1 Sept'r 1845	1,104 17	21 Sept'r 1849	W C Bevins											
213	Moser Barnett	Sam'l Moser and W S Hynson	26 Feb'y 1842	120 00			Dec'r 21 1849,	Moser, [illegible]ser and Hynson,	120 00								
214	Morris T B	W P Morris, J W Childress, J J Waddle and Alex Robinson	10 Jan'y 1842	2,000 00							August 12 1847					Independence,	2,000 00
215	Moore William	(Mortgage on real estate)	December 1842	7,466 00	6 Oct'r 1849	W C Bevens										same	
216	Moser Peter	John Moser and Marady Bowen	1 August 1842	146 00	6 Oct'r 1849	same						146 00	May, 1848,	March, 1849,	Independence.	same	
217	McGuire E R	W L McGuire and Thos Hughes	9 Feb'ry 1843	210 00													
218	same	same same	29 April 1843	168 00													
219	same	same and A W Lyon	7 Jan'y 1842	1,464 00													
220	same	C F M Noland and Jos H Egner	8 Sept'r 1842	700 00													
221	same	James Pope and M W Reinhart	15 Sept'r 1842	290 00													
222	Meacham J W	Christopher B Meacham and M Bowman	20 March 1843	300 00	20 March 1849	W C Bevens						200 00	May, 1849,	March 1849,	Independence,	Independence,	
223	Moss John D	W B Temple and Miles Williams	1 June 1843	160 00	15 June 1849	same											
224	Moore Levi	John Moore and John C Alfred	18 Feb'y 1843	378 00	15 June 1849	same						378 00	May, 1848,	March 1849,	Independence,	Independence,	
225	Magness William	Jesse Terry and H Brown	14 Feb'y 1843	384 00	20 March 1849	same						384 00	May, 184[illegible]	[illegible], 1849,	same	White,	
226	McFelch Asa	W Moore and John Ruddle	19 Feb'y 1843	4,783 00	6 Oct'r 1849	same										Independence,	
227	Moore John S	A Rickman and J R Rickman	9 Nov'r 1842	342 00			August 14 1845	James Rickman,	342 00								
228	Merchant Ulysses	W H Dickinson and T Dickinson	25 Dec'r 1842	450 00			Feb'y 7 1846	Wm H[illegible]ckinson,	450 00								
229	Moser Samuel	Barnett Moser and John Moser	4 Feb'y 1843	76 00	4 April 1849	W C Bevens											
230	Mooney Edward	Sam'l Denton and P Sullivan	2 May 1843	76 00	4 April 1849	same											
231	Meradith Sam'l B	Rich'd Hendricks and Wm Meradith	14 March 1843	80 00	4 April 1849	same											
232	Meacham J A	Christopher B Meacham and Wm L McGuire	12 March 1842,	90 00	4 April 1849	same											
233	McFarland Dan'l	James Robinson and Alvin McDonald	21 June 1843	131 00	2 April 1849	same										Jackson	
234	McGuire W L	L B Day and Jos H Egner	29 August 1843	270 00	27 Feb'y 1849	same				270 00	March 1850						
235	same	E R McGuire and Thos Hughes	1 July 1844	6,430 00	27 Feb'y 1849	same						6,430 00	March 1849	[illegible] 1849,	Independence,	Independence,	
236	McKinney C S	A P Sherrill and C H Pelham	1 July 1844	148 00	2 April 1849	same				148 00	March 1850						
237	same	John Hulsey and E A Robinson	1 July 1844	163 00	2 April 1849	same				163 00	March 1850						
238	Magness D G W	Wm L McGuire and John N Arnold	1 July 1844	152 00	27 Feb'y 1849	same					March 1850					Independence,	
239	McDonald Alvin	John Robinson and Wm Robinson	1 July 1844	220 00	24 Sept'r 1849	same										Jackson,	
240	Moore Hiram	James F Moore and Arthur Dillingham	25 July 1844	282 00	27 Feb'y 1849	same						282 00	May, 1848,	March 1849,	Independence,	Independence	
241	Minikin John	B Allen and Peter Engles, Sr	1 Dec'r 1844	788 00													
242	same	Andrew Caldwell and Wm Johnston	2 Dec'r 1844	1,030 00													
243	Moreland Wm	Wm M Wolf and R C Hutchinson	1 July 1845	190 60	24 Sep'r 1849	W C Bevins										Izard	
244	Montgomery Jas	Thos D Wood, W Talbot and F Talbot	1 July 1845	233 63													
245	Marr Thomas O	J Wayland and John W Marr	1 July 1844	2,515 00													
246	Maxfield Uriah	Robert Williams and Septimus Williams	1 Sept'r 1845	310 50													
247	McPherson M W	G B Myrick, R H Hargraves, W P Martin and B Baily	23 Sept'r 1840	2,500 00													
248	Magness Robt B	G H Chote and E L Complon	22 Dec'r 1840	96 00	29 March 1841	W Johnston, C											
249	Mitchie Wm	T H Mitchie and N H Izard	3 Dec'r 1838	1,000 00			June 6 1839	Mitchi[illegible] Mitchie and Izard,	1,000 00								
250	Murphee Nimrod	G Standford, W Waldrum and J Lester	8 Jan'y 1840,	750 00			Dec'r 21 1842	Murphe[illegible] Stanford, Waldrum & Lester,	750 00								
251	same	W Webb and L Boswell	11 Jan'y 1840	375 00			Dec'r 18 1841	Murph[illegible], Webb & Boswell,	375 00								
252	same	Henry Holt and Rich'd H Hally	22 Jan'y 1840	600 00			Dec'r 12 1842	Murph[illegible]e and Holt,	600 00								
253	same	same same	25 April 1840	1,125 00			August 12 1844	Murph[illegible]e and Holt,	1,125 00								
254	Meacham Jas A	James E Pelham and A P Sherrill	30 June 1841	120 00			Dec'r 17 1842	All th[illegible] parties,	120 00								
255	same	Andrew Allen, Jr. and C B Meacham	30 Jan'y 1842	190 00			Dec'r 17 1842	All th[illegible] parties,	190 00								
256	same	C S McKinney and same	30 Oct'r 1841	200 00			Dec'r 17 1842	All th[illegible] parties,	200 00								
257	Noland C F M	T T Tunstall and Wm F Denton	8 Dec'r 1842	2,944 00	15 June 1849	W C Bevens						2,944 00	May, 1848,	March 1849,	Independence,	Independence	
258	same	John Ringgold and Jos H Egner	1 July 1844	1,100 00	27 Feb'y 1849	same						1,100 00	May, 1848,	March 1849,	same	same	
259	Newland James	Thos O Marr and Casper Schmich	1 July 1844	1,128 00	24 Sept'r 1849	same										Randolph	
260	Neil Henry	Wm Engles and Dan'l J Chapman	1 July 1844	300 00													

he hands of the Bank Attorney, for collection; the amount due, as shown by the Attorney's Receipt; name of Attorney; date of judgment; county in which judgment was rendered; amount of money collected by M. W.
for said Bank, as shown by his receipt, dated 17th July, 1849; the bills, Notes and Judgments, believed to be due the said Branch, not included in the receipt given by said Byers, to Mrs. Dorriss; the amount of
0; the total amount of principal and interest due on the 1st day of October, 1850; the amount supposed, by the Receiver, to be Solvent, Doubtful Insolvent, and already Lost.

	Cash collected by T N Byers as Bank Attorney.	Date of collections made by Byers.	Amount of notes taken in renewable by Byers.	Notes taken in renewal by Byers, when due.	Amount of notes turned over by M. Mitchell to Bank agents as assets and believed by Receiver to be due the Bank not receipted for by Byers.	Notes not receipted for by Byers as Attorney, when due.	Interest due on notes, on 1st October, 1850.	Principal and interest, and balance principal due on notes Oct. 1st, 1850.	Amount supposed to be solvent.	Amount supposed to be Doubtful	Amount supposed to be insolvent.	Amount supposed already Lost.	REMARKS By THE RECEIVER.	
	$		$		1,200 00	July 6 1840	$859 60	$ 2,059 60	$	$	$2,059 60	$		1
							5 84	255 84	255 84					2
								915 00	915 00					3
48	2,840 38	Jan. 15, 1850,												4
							568 32	2,118 32		2,118 32			Hammett notified Dorriss to sue, which he failed to do in time. If Hammett is released the debt is lost. Suit now pending.	5
					1,100 00	Feb'y 16 1841	741 08	1,841 08				1,841 08		6
					400 00	July 30 1840	284 68	684 68				684 68		7
					450 00	Jan'y 31 1840	337 27	787 27			787 27			8
					300 00	Oct'r 3d 1839	231 00	531 00			531 00			9
	349 30	Nov. 1, 1849,			1,300 00	Oct'r 3d 1839	1,000 00	1,300 00			2,300 00			10
	423 45	May 12, 1850,												11
														12
4							13 11	44 11						13
7							1,034 06	7,474 06		7,474 06		44 11	Lost by negligence of Receiver—by Statute of Limitation.	14
	550 00	April, 1850,	1,650 00	April 1, 1850,				2,726 03	2,726 03					15
														16
S							66 00	1,716 00	1,716 00				The parties to new note are Paul Cousot, Pr., A. Dardenne, Jas. Scull, and Hewes Scull, securities.	17
					600 00	Aug 2d 1841	539 15	1,139 15			1,139 15			18
														19
							21 00	221 00	221 00				New note given by John A. Jordan, Pr., Wm. F. George, and M. W. Dorriss, securities.	20
							406 88	1,558 88			1,558 88		Mortgage foreclosed and land sold, May 6, 1846, for $100, to M. W. Dorriss, and title taken in his own name.	21
	115 96	not given,					224 45	874 45		874 45			Edington and Cheatham are dead, and Knowlton is insolvent. Byers sold a lot in Napoleon for $400 or $500, and bid it in, in his own name, to satisfy part of those debts, but owing to some difficulty about the title, he has not been able to realize any thing yet for the Bank.	22
					800 00	Aug 11 1841	512 76	1,312 76			1.312 76			23
					180 00	Feb'y 16 1843	11 20	191 20	191 20					24
	200 00	April 22, 1850,											Sued in Desha county. Dismissed at cost of Bank, September, 1844. Money was undoubtedly paid to Dorriss, and I cannot see where he has ever paid it to Bank.	25
	200 00	Nov. 1, 1849,												26
	166 52	Sept 18, 1849,			640 00	July 23 1840	123 62	763 62	763 62				The payment of $100 65 credited on this note renewed it to 15th June, 1846. By the receipt given by the Attorney the Bank would have lost $26 25, if he had collected the whole amount of the note.	27
	1,785 00	Oct 1, 1849,						280 51	280 51					28
en								425 81	425 81				$460 of the "$1,785 paid to Byers," was assumed for, and paid on account of General Samuel Mitchell; $1,325 credited on this.	29
								609 04	609 04				I can find no account of this note after it went into Dorriss' hands. If it was collected it has not been accounted for, in any way that I can find. No suit was brought for its recovery, that I can see any account of.	30
					300 00	Jan'y 21 1843	161 75	461 75		461 75				31
													I have set this note down as paid to Dorriss, and calculated interest to June, 1848. The note was not turned over to Byers, and the presumption is that it was paid.	32
							207 37	1,107 37				1,107 37	The amount of this note was lost by the Attorney failing to authenticate it within the two years prescribed by law. against the state of Joel Johnson.	33
					480 00	July 21 1840	341 60	821 60				821 60		34
							74 85	244 85				244 85	This note was barred by statute of limitation before it was placed in Dorriss' hands.	35
													Paid by Frederic Von Nauendorff. Security. [plea of limitation.	36
					300 00	Feb'y 1 1842	182 00	482 00				482 00	Suit was brought on this Sept. 1844, statute pleaded successfully, Nov. 1846. If the clerk issued a good writ in Sept. 1844, I cannot see how the debt was lost on the I do not know whether this note was sued on or not; or whether it was collected or not. Hanley is insolvent. Clark died insolvent. Of Taylor I know nothing.	37
					600 00	Sept'r 4 1841	381 10	981 10			981 00		If the debt was not paid to Dorriss (and I think it was not) it is lost.	38

[C] Continued.

PRINCIPAL ON NOTE	SECURITIES ON NOTE.	Note, when due.	Amount of Note.	Amount paid into Bank, and credited on note, or should be credited.	Date of Bank Attorney's Receipt, when note was placed in his hands for suit.	Amount of note as shown by the receipt of Bank Attorney.	Note when due, as shown by Attorney's receipt.	Name of Bank Attorney.	County in which judgment was obtained.	Amount of money collected by M W Dorriss.	When such money was collected by Dorriss.	Amount of the notes turned over to T. N. Byers by Mary J Dorriss.	Notes turned over to Byers, when due.	Amount of credits due on notes received by Byers.	Date of credits on and due on notes turned over to Byers.	Cash collected by T. N. Byers as Bank Attorney.	Date of collections made by Byers.
86 Phillips William	Mortgage on Real Estate	June 15 1849	$ 6,806 00	$	May 17 1849	$ 6,806 00	June 15 1849	M W Dorriss		$ 2,156 00	not stated.	$ 5,000 00	June 15 1850	$		$	
87 same	not named	June 15 1847	105 00		Dec 16 1847	105 00	June 15 1847	same									
88 same	not named	March 8 1847	820 00		Dec 16 1847	820 00	March 8 1847	same		496 50	not stated.	600 00	June 15 1850				
89 Pratt William	Joel J Offett and Wilford Garner	Nov. 15 1846	710 00		Dec 16 1847	710 00	Nov 15 1846	same	not given	572 05	not stated.	710 00	Nov 1, 1846	572 05	June 1848		
90 Rankin Robt P	Henry Yerby and Wm Yerby	July 27 1840	2,400 00	1,185 58	not given	2,400 00	July 27 1840	Jas Yell	Phillips	1,141 25	not stated						
91 Roper Austin P	W P Craig and P G Kennett	Jan 3 1840	500 00		no receipt in B'k	500 00	Jan 3 1840	T Farrelly,	Arkansas								
92 Reese Alexander	R Smally, W Jacobs and Wm Reese	June 15 1848	178 00	2 06	May 17 1849			M W Dorriss				178 00	June 15 1848	2 06	Sept'r 20 1847	100 00	Oct. 1 18
93 same	same same C Palmeston	Sept 15 1847	220 00	35 00	May 17 1849			same				220 00	Sept 15 1847	35 00	Sept'r 25 1848		
94 Roane John S.	Sam C Roane and Israel Embree	June 15 1844	375 00		June 11 1845	375 00	June 15 1844	same		438 00	not stated						
95 Richmond Barton	Tho J Lacy and S V R Ryan	June 15 1844	600 00		June 11 1845	600 00	June 15 1844	same				600 00	June 15 1844				
96 Rust Albert	John H Cornish and Tho Owen	June 4 1841	800 00		not given	800 00	June 4 1841	Jas Yell	Arkansas			800 00	June 14 1841				
97 Strong William	T J Curl, J J Thompson, W Williams, H H Curl	June 4 1839	5,000 00		none in Bank,			Albert Pike	Arkansas								
98 same	same same and Allen D Burriss	June 4 1839	5,000 00		none in Bank,			same	Arkansas								
99 Shotwell Alf L.	Securities not named	March 7 1846	17,120 00		Dec 16 1847	17,120 00	March 7 1846	M W Dorriss		10,366 56	not stated	12,320 00	Jan 1 1849	2,810 00	not stated,		
100 Smith Sidney R.	Alfred L Shotwell and James Clark	June 15 1845	1,000 00		Dec 16 1847	1,000 00	June 15 1845	same		1,149 00	not stated.						
101 Smith D G W	Securities not named	June 15 1846	853 00		Dec 16 1847	853 00	June 15 1846	same		952 50	not stated,						
102 Smith James M.	James Smith and Jno F Smith,	Sept 22 1847	982 70		May 17 1849	982 70	Sept 22 1847	same								1,177 52	July 23 1
103 same	same and same	June 15 1847	490 00		May 17 1849	490 00	June 15 1847	same								597 00	July 23 1
104 Smith James	no security	Nov 15 1848	84 94		May 17 1849	84 94	Nov 15 1848	same						140 00	June 15 '47	88 50	July 23 1
105 Smith John F.	James Smith and James M Smith	June 14 1846	236 25	160 00	May 17 1849	76 25	Aug. 1 1847	same				236 25	June 14 1846	20 00	Aug. 1 1847		
106 Stroud William	Wm Sexton and John Malpass	June 15 1845	650 00		Dec 16 1847	650 00	June 15 1845	same				650 00	June 15 1845				
107 same	same and same	June 15 1847	400 00		May 17 1849	400 00	June 15 1847	same				400 00	June 15 1847			500 00	April 22
108 Smally Robt	T A Ferris, C Palmeston, and Alex Reese	Sept 15 1847	220 00	77 60	May 17 1849	220 00	Sept 15 1848	same				220 00	Sept 15 1847				
109 same	W Jacobs same and same	Sept 25 1848	178 00	393 28	May 17 1849	100 40	Sept 25 1847	same				178 00	Sept 25 1848	77 60	Sept'r 25 1848	108 43	Oct'r 1 1
110 Stewart Chas A	B H Whitsworth, J Wilkinson, and J Harman	June 15 1845	712 47		May 17 1849	530 00	June 15 1848	same				712 47	June 15 1845	393 28	1846, 1847, '48		
111 Samples Wm A.	Soloman Wells and J L Jones	June 15 1844	620 00		May 17 1849	620 00	June 15 1844	same		341 00	not stated						
112 Stroud Calvin	G B Watson and Wm Sexton	June 15 1844	300 00	not stated.	May 17 1849	236 00	June 15 1847	same		110 00	not stated	236 00	June 15 1847	110 00	not Stated,	87 59	April 22
113 Sevier A H.	Benj. Johnson and R W Johnson	June 15 1846	1,782 75		May 17 1849	1,782 75	June 15 1846	same				1,782 00	June 15 1846				
114 Sexton Wm	G B Watson, J F Smith, and T N Byers	June 15 1844	375 00	96 21	May 17 1849	329 00	June 15 1846	same				329 00	June 15 1846			228 00	April 22
115 same	James Smith	June 15 1846	1,418 25	572 25	May 17 1849	1,000 00	June 15 1848	same		302 50	not stated	1,000 00	June 15 1847	302 50	not stated,		
115 Scull Hewes	James Scull and W B Scull	April 19 1846	1,450 00	638 40	May 17 1849	1,000 00	June 15 1848	same								313 70	April 17
117 Steed Moses	"Note,"	March 3 1843	1,000 00		May 17 1849	1,000 00	March 3 1843	Dorriss									
118 same	"Note,',	March 3 1844	1,000 00		May 17 1849	1,000 00	March 3 1844	same									
119 Swain P H.	B B Smith, and W L Ward	Sept 13 1840	1,200 00	50 00	Jan 1 1845	1,200 00	Sept 13 1840	same									
120 Star Geo W.	A Knowlton, T Moore, and S V R Ryan	Aug 10 1842	90 00		Oct 8 1846	90 00	Aug 10 1842	same									
121 Suggett Wm P	Robt P Rankin, and O W Gaines	Jan 6 1840	1,500 00		none in Bank,			T. Farrelly,	Arkansas			90 00	Aug 10 1842			765 00	May 12 1
122 Tucker Wood	James Scull and James Scull, jr.	June 15 1844	970 00	865 55	May 17 1849	288 90	June 15 1848	Dorriss,						865 55	various,		
123 Tolleson J C P	Davis Thompson, B F Odle, and W P Craig	Jan 10 1840	500 00		none in Bank			A. Pike,	Arkansas			970 00	June 15 1844				
124 same	same, Wm Cummins	July 24 1839	500 00		none in Bank			same	same								
125 same	N H Izard, B W Lee, and Wm Price	May 24 1839	500 00		none in Bank			same	same								
126 Thompson John, jr.	Benj Thompson, and R S Connell	Jan 31 1840	1,500 00		none in Bank			same	same								
127 Thompson Davis	Reason Bowie, S C Mooney, snd J B Ford	March 19 1840	900 00		none in Bank			T Farrelly	same								
128 Von Nauendorff F	John Malpass. and Wm Stroud	June 15 1846	258 00	91 30	May 17 1849	182 38	June 15 1847	M W Dorris				182 38	June 15 1847				
129 Williams Wm	Richard H Yeats, and N Rightor	July 6 1840	400 00		not dated	400 00	July 6 1840	James Yell	Phillips						$150 June '47		
130 Whiting Elijah	James Hubbard, and J L Whiting	June 15 1846	370 00	224 00	May 17 1849	195 90	June 15 1847	M W Dorriss				370 00	June 15 1846	224 00	74 Jan'y 1846	100 00	July 20 1
131 Walden William	S Hopkins, and Jno McLain	June 15 1846	193 78	170 00	May 17 1849	23 75	Sept 17 1847	same								39 60	April 22
132 same	same and same	June 16 1847	166 11		May 17 1849	166 10	June 16 1847	same				166 11	June 16 1847				
133 Watson Geo B.	Benj Caulk, and S H Wilson	June 15 1847	525 00		May 17 1849	525 00	June 15 1847	M W Dorriss				225 00	June 15 1847				
134 same	Calvin Stroud, and James Smith	June 15 1847	1,105 00		May 17 1849	1,005 00	June 15 1847	same		950 00	not stated	1,105 00	June 15 1847	950 00	not stated,	1,204 00	April 22 1
135 same	same and same	June 15 1847	2,036 00		May 17 1849	2,036 00	June 15 1847	same				2,036 00	June 15 1847				
136 Waters Milly	James Smith and J McLain	June 15 1847	148 00		May 17 1849	148 00	June 15 1847	same				148 00	June 15 1847				
133 Wilkinson Geo W	Wm Rouse, and Wm S Grooms	August 6 1842	135 00		Feb 18 1844	135 00	Aug 6 1842	same	Desha								
138 White Joseph	John Malpass, and H C Henton	Sept 11 1841	60 00		Oct 8 1846	60 00	Sept 11 1841	same				60 00	Sept 11 1841			378 57	Nov, 1 18
139 Wilson S H.	C A Stuart and H S Edington	June 15 1846	900 00		Dec 16 1847	900 00	June 15 1846	same		100 00		900 00	June 15 1846	100 00	1848	80 00	April 24 1
140 Yerby Henry	R P Rankin, and Wm Yerby	July 6 1840	1,050 00	480 09	not dated	1,050 00	July 6 1840	James Yell	Phillips					408 09	Sept'r 6 1843		
141 Yerby William	same, and Henry Yerby	July 6 1840	1,050 00	480 09	not dated	1,050 00	July 6 1840	James Yell	same					408 09	Sept'r 6 1843		
142 Yell James	T F Yell, and Andrew Hudgens	Feb. 13 1847	127 00		May 17 1849	127 00	Feb 13 1847	M W Dorriss									
143 same	same, Thos S James, and F A James	June 15 1848	1,160 00		May 17 1849	1,160 00	June 15 1848	same								662 40	April 17 1
			$205,070 24	$27,411 94		$165,059 38				$52,581 30		$123,392 96		$31,705 68		$21,672 48	

RECEIVER'S OFFICE,
STATE BANK,
Little Rock, Oct. 1st, 1850

Cash collected by T. N. Byers as Bank Attorney.	Date of collections made by Byers.	Amount of notes taken in renewal by Byers.	Notes taken in renewal by Byers, when due.	Amount of notes turned over by M. Mitchell to Bank agent as assets and believed by the Receiver to be due the Bank, not receipted for by Byers.	Notes not receipted for by Byers as Attorney, when due.	Interest due on notes, on 1st October, 1850.	Principal and interest and balance principal due on notes, Oct. 1st, 1850.	Amount supposed to be solvent.	Amount supposed to be doubtful.	Amount supposed to be insolvent	Amount supposed tobe already lost.	REMARKS BY THE RECEIVER.	
$		$		$		$ $102 08	$ 5,102 08	$5,102 08	$	$	$	This debt was assumed by Ignace Bogy, who put in the new note	86
													87
						12 25	612 25	612 25				Wm. Phillips is dead; new note executed by Mary R. Phillips, *et al.*	88
							265 14	265 14				Judgment against Offett, Oct. 1849.	89
							1,378 76	1,378 76				The credit of $1,185 58 is dated Sept. 6th, 1843, and was paid to M. Irvin, Sheriff, Phillips county.	90
				500 00	Jan,y 3 1840	376 25	876 25				876 25	Judgment Oct. Term, 1840.	91
100 00	Oct. 1 1849	96 69	June 15 1850			1 97	98 66	98 66					92
						9 11	229 11	229 11					93
													94
						264 25	864 25				864 25		95
						522 04	1,322 04	1,322 04				Judgment vs. Cornish & Owen, April, 1850. Union county.	96
				5,000 00	June 4 1839	5,672 22	10,672 22				10,672 22	Strong took benefit of Bankrupt law, Thompson is in Galveston, Burriss lives near Soda Lake, Texas; the rest are dead, runaway, or insolvent.	97
				5,000 00	June 4 1839	5,672 22	10,672 22				10,672 22		98
							10,730 00	10,730 00					99
													100
													101
1,177 52	July 23 1849												102
597 00	July 23 1849												103
88 50	July 23 1849												104
							114 53	114 53					105
500 00	April 22 1850	493 00	June 15 1850			10 06	503 06	503 06					106
		389 00	June 15 1850			7 94	396 94	396 94					107
						46 84	266 84	266 84					108
108 43	Oct'r 1 1849												109
							498 97	498 97				The parties are good, but the note is barred by statute and consequently doubtful. If they plead the statute, M. Mitchell as Receiver is liable, for the amount on his Bond.	110
				498 32	b'l. 17 July 1849	41 78	540 10		540 10				111
87 59	April 22 1850	113 00	April 22 1851				108 62	108 62				New note turned over to Receiver of Principal Bank, Sept. 3d, 1850 by Byers.	112
												This note was turned over to the Principal Bank by Thos. N. Byers, Esq., and credited to this Branch.	113
228 00	April 22 1850											The balance of this debt was assumed and paid by G. W. Watson. Jr., to Byers.	114
							817 81	817 81				The $302 50 collected by Dorriss was not credited on the note.	115
313 70	April 17 1850	900 00	June 15 1851				855 38	855 38				Of those 2 notes I know nothing. They are not on the books, and the presumption is they were never *original* discounts by the Bank. One was barred by Statute over 2 and the other 3 years before they were placed in suit. Steed took the benefit of bankrupt law. If they have not been, they never will be, collected. They were not turned over to Byers, by Mrs. Dorriss. I have set them down as lost.	116
				1,000 00	March 3 1843	530 24	1,530 24				1,530 24		117
				1,000 00	March 3 1844	460 24	1,460 24				1,460 24		118
				1,150 00	Sept'r 13 1840	808 80	1,958 80				1,958 80	Dorriss has this marked as a "Judgment," but I am unable to tell when or where it was rendered, or if it is for or against the Bank.	119
						51 26	141 26				141 26	Lost by Statute of Limitation. Starr, Knowlton, and Ryan, are dead, and Moore is insolvent.	120
765 00	May 12 1850			1,500 00	Jan'y 6 1840	362 00	1,862 00		1,862 00				121
							335 42				335 42	Plea of Statute of Limitation sustained and Judgment vs. Bank.	122
				500 00	Jan'y 10 1840	375 27	875 27				875 27		123
				500 00	July 24 1839	391 41	891 41				891 41		124
				500 00	May 24 1839	397 24	897 24				897 24		125
				1,500 00	Jan'y 31 1840	1,120 00	2,620 00				2,620 00		126
				900 00	March 19 1840	663 42	1,563 42	224 38		1,563 42			127
						42 00	224 38						128
						285 12	685 12				685 12		129
100 00	July 20 1849						134 97	134 97					130
39 60	April 22 1850												131
						38 25	204 35		204 35				132
													133
1,204 00	April 22 1850	2,856 62	June 15 1850			59 32	2,915 94	2,915 94				$228 00 assumed for W Sexton, is included in this settlement.	134
													135
						34 10	182 10	182 10				Judgment vs. Smith & McLain.	136
				135 00	Aug. 6 1842	77 01	212 01		212 01			Levy on lands of Rouse, Feb. 1850, but not sold for want of time.	137
						38 00	98 00				98 00	Lost by limitation.	138
378 57 80 00	Nov, 1 1849 April 24 1850	675 00	Oct'r 16 1850				590 55	590 55				The $80 paid 24th April, 1850, is to be placed as a credit on the $675 note.	139
				1,050 00	July 6 1840	257 28	1,307 28		1,307 28			The $816 18 credited on these two notes, was paid to Miller Irvin, Sheriff of Phillips county. The balance may have been paid, but I have nothing to show it.	140
				1,050 00	July 6 1840	257 28	1,307 28		1,307 28				141
													142
662 40	April 17 1850	873 74	April 13 1851				841 33	841 33				New note turned over to Receiver of Principal Bank, Sept. 3d, 1850.	143
$21,672 48		$32,382 14		$38,924 97		$39,595 40	$173,744 88	$85,005 23	$21,819 69	$21,458 89	$45,465 07		

JOHN M. ROSS,
Financial Receiver
of the State Bank.

[D.]

A TABLE, exhibiting the amount of Bills and Notes, and Judgments, turned over by R. P. Pulliam, Esq., late Financial Receiver of the Br
Statute of Limitations, and when they were barred; notes placed in the hands of Jonas M. Tebbetts, Esq., Attorney for said Branch Bank; the
torney, has recovered judgment for the Bank; the amount of money collected by J. M. Tebbetts, Bank Attorney, and date of such collection; the
interest due, 1st October, 1850; the amount supposed by the Receiver to be Solvent—Doubtful—Insolvent, and Lost.

	PRINCIPAL.	SECURITIES.	Note, when due.	Amount of Note.	Amount of notes turned over to Bank Agent, by R. P. Pulliam, that were barred by Statute.	Dates when bar attached.	Amount of notes placed in the hands of J. M. Tebbetts, Bank Attorney, for collection.	Date of J. M. Tebbetts' receipt for notes.	Amount credited on notes and judgment when placed in Tebbetts' hands for collection.	Date of credit on notes and judgments, when placed in Tebbetts' hands for collection.	Amount of notes on which Tebbetts' obtained judgment in favor of the Bank.	Amount of notes on which judgment was recovered, by former attorney, for which J. M. Tebbetts has not receipted.
1	Allen Lewis	John Smith and David Allen,	Feb'y 29, 1842,	$ 95 00	$ 95 00	1 Mar. 1845,	$		$		$	$
2	Atherton S F	H E Campbell and Cyrus Brown	May 24 1842	525 00	525 00	24 May 1845						
3	Anthony A B	L. Brodie and James Sutton	Sept 29 1844	6,334 00			6,334 00	April 16 1849	597 28	unknown,		
4	Alston Elijah B	John J Horton and James Alston	March 15 1843	684 00			684 00	July 25 1847	95 00	30 Jan'y 1841,	684 00	
5	Armstrong Lynus	John Armstrong and A P Clark	Oct'r 1, 1847,	417 52			417 52	May 31 1848	100 00	23 March, 1848		
6	Armstrong Geo. M	James Armstrong and R C S Brown	Feb'y 1 1843	159 45								159 45
7	Awalt George	John W Patrick and Jos James	March 6 1843	175 52								175 52
8	Brown Henry B	John Saunders and A M Beach	August 23 1848	741 31			741 31	April 16 1849				
9	same	J G McConnell and D Reeves	Jan 20 1846	600 00			600 00	April 16 1849	85 00	1 April 1848,		
10	Boyd Alexander	J Gregg and H S Lafferty	March 6 1843	131 42								131 42
11	Bell John A	Nothing in Bank to show the Securities	March 6 1844	152 00								152 00
12	Bell J C	John F Bell and S Reddick	Feb'y 23, 1847,	59 00			59 00	April 16 1850	52 59		59 00	
13	Ballard John	Nothing in Bank to show the Securities	March 15 1844	644 00								644 00
14	Burney R A	W S Oldham and John Lewis	June 17 1842	708 00								708 00
15	Buchanan Jas B	W P Poor and E H Shipley	March 12 1843	144 00								144 00
16	Box Henry	Mitchell L Hill and John Arrington	Sep 2 1845	100 10			100 10	June 14 1847			100 10	
17	Bourland D L	E J Bourland and H Bourland	Feb 15 1845	450 00			450 00	June 14 1847			450 00	
18	Bourland Henderson	same and D L Bourland	Feb. 9 1845	428 00			428 00	June 14 1847			428 00	
19	Bourland Eb. J.	Henderson Bourland and Same	Feb'y 11 1845	413 00			413 00	June 14 1847	15 00	18 March, 1844,	413 00	
20	Bunch D W	Chas Whitson and E J Bourland	Sept 18 1844	219 00			219 00	July 13 1847				
21	Bates Robert	Robert M Winn and Wm Wilson	Sept 15 1844	20 00			20 00	July 13 1847	11 12	21 July, 1846,	20 00	
22	Beam Jeremiah	James Maddin and A Sinclair	Aug 25 1840	200 00			200 00	July 25 1847				
23	Brodie L	Wm Skelton and S G Sneed	March 5 1843	1,035 00			1,035 00	July 25 1847				
24	Buchanan Wm	A A Crawford	Aug. 7, 1844,	20 00			20 00	July 25 1847				
25	Buchanan Leander	P R Smith and R A Sawyer	Oct'r 3, 1847,	92 24			92 24	March 27 1848			92 24	
26	Boatwright Wm	S G Sneed	Sept 25 1847	116 81			116 81	March 27 1848			116 81	
27	Beathy Thos T	Alex Beatty and Mede Dolton	May 28 1848	60 74			60 74	March 27 1847			60 74	
28	Bacon Hail	Enoch Harp and Chas Bacon	Oct 9 1845	35 00			35 00	July 25, 1847,	10 00			
29	Beller E C	A F Beller and Peter Beller	Nov. 3 1844	445 00			445 00	March 27 1848	95 00	5 June, 1846,	445 00	
30	Brashers Wm	Wm Guthery and W C Brashers	March 1 1847	30 00			30 00	March 27 1848				
31	Basham Jonathan	J C Payne and M Rose	Jan'y 9 1847	179 57			179 57	March 27 1848			179 57	
32	Brewer Stephen	James F Lee	Oct'r 10 1846	11 54			11 54	March 27 1848				
33	Burgess Richard	J D Robinson and W Thompson	Oct 18 1847	81 00			81 00	March 27 1848				
34	Blair John S	Joel D Blair and Wm C Mitchell	May 1 1846	478 00			478 00	May 31 1848	15 04	various,	478 00	
35	Blair Joel D	John S Blair and Jas K Blair	May 4 1848	237 00			237 00	Dec 4 1849				
36	Blair James K	same and Joel D Blair	May 4 1848	237 00			237 00	Dec 4 1849				
37	Brashers L D	A M Wilson	March 12 1850	185 60			185 60	Dec 4 1849				
38	Brown R C S	Pickett and Gregg	March 2 1842	1,458 00			1,458 00	Dec 4 1849	749 84	various,		
39	Boyd John	Wm Poyner and J A Hicks	Oct'r 8, 1847,	133 10			133 10	May 31 1848	100 00	22 Nov'r 1847		
40	Brown R H	John B Brown and Newton W Brown	March 9 1843	136 00			136 00	July 27 1847			136 00	
41	Brown Newton W	same and R H Brown	March 18 1843	170 19			170 19	July 27 1847			170 19	
42	Brown John B	R H Brown and N W Brown	Aug. 15 1842	90 00			90 00	July 27 1847			90 00	
43	same	same same	March 3 1842	304 28			304 28	July 27 1847			304 28	
44	Beller Peter	Wm Beller and G Greer,	Dec 3 1846	398 00			398 00	April 16 1849	130 00			
45	Buchanan Andrew	P R Smith	Sept'r 6, 1848,	50 53			50 53	April 16 1849	2 00			
46	Ballard John	Sam'l Newton and C G Newton	March 15 1843	582 00	582 00	15 March 1846						
47	Baltz John	Herrick Larkins and John Velle	July 29 1842	592 00	592 00	29 July 1845						
48	Burney George E	John S Blair and Joel D Blair	Feb'y 17 1842	119 00	119 00	17 Feb'y 1845						
49	same	Robt A Burney and John W Onstott	Feb'y 21 1842	236 00	236 00	21 Feb'y 1845						
50	Boyd Mack	Abel Oxford and James Oxford	March 9 1842	646 00	646 00	9 Mar. 1845						
51	same	James Brandon and Wm D Quintin	Feb'y 29 1842	142 00	142 00	29 Feb'y 1845						
52	Billingsley Sam'l	Freeborn Graham and Wm Skelton	April 26 1840	400 00	400 00	26 April 1843						
53	Burgess John T	Walter Thornberry and David C Brickey	March 9 1843	41 00	41 00	9 March 1846						
54	Burgess John	David Mitchell and Sam'l Carmichael	Aug. 23 1841	50 00	50 00	26 Aug. 1844						
55	Blevins John	A Harnage and John Hewitt	Feb'y 9 1843	42 00	42 00	9 Feb'y 1846						
56	Baltz John	Henry Koontz and Henry Snider	May 9 1843	180 00	180 00	9 May 1846						
57	Brewer Sullivan	Ebenezer Hanna and Milton Hanna	Aug. 6 1848	30 00			30 00	April 16 1849			30 00	
58	Clark B G	Jno R H Scott and M T Logan	Sept'r 9 1845	485 00			485 00	June 14 1847	49 80	9 Sept 1844,		
59	Colvard W H	L Russell and P Colvard	Oct'r 6 1844	82 73			82 73	June 14 1847				
60	Clary E C	J C Bell and J Barns	Oct'r 4 1844	25 00			25 00	June 14 1847			25 00	
61	Chany F S	J C Chaney and John M Cook	Oct'r 9 1844	162 00			162 00	July 25 1847			162 00	
62	Chaney J C	F S Chaney and Wm Wilson	Sept'r 18 1844	122 00			122 00	July 25 1847	35 00	3 May 1847,	122 00	
63	Cavin William	John Cohee	March 9 1846	46 00			46 00	July 25 1848			46 00	
64	Clark Wm C	James T Clark and M Robinson	Feb'y 7 1847	47 97			74 97	March 27 1848				
65	Coltharp Wm H	R H Brown and J B Brown	Jan'y 4 1848	334 00			334 00	March 27 1848				
66	Chandler Robert	Mortgage	Jan'y 8 1845	151 00			151 00	March 27 1847			151 00	
67	Clements B B	J B Johnson and W S Oldham	Feb'y 13 1847	197 00			197 00	May 31 1848	109 66	21 Feb'y 1847,		
68	Cline George	C W Dean and Mathew Leeper	Aug. 29 1842	800 00			800 00	May 31 1848	104 00	29 Aug '42 $56 29 Aug '44 $49		
69	Coker Joseph	H Davis and S G Sneed	Aug. 15 1844	285 00			285 00	May 31 1848	300 00	various,		
70	Coulter James	John D Moore and Wm Munkers	April 1 1842	1,002 00	1,002 00	1 April 1845						
71	Clark Lorenzo N	John H Strong and C R Clarke	Jan'y 31 1842	1,343 00	1,343 00	1 Feb'y 1845						
72	Clark M H	L Brodie	Sept'r 27 1844	296 00	296 00	27 Sept'r 1847						
73	Canterberry H C	J W Dickson and W S Oldham	April 27 1843	419 00	419 00	27 April 1846						
74	Crawford John F	Wm M Crawford and John Swaggarty	June 7 1842	190 00	190 00	7 June 1845						
75	Crawford Wm M	John F Crawford and Henry Ward	Dec'r 6 1842	258 00	258 00	6 Dec. 1845						
76	Cassady Wm J	Jesse Phelan and James D Kirkland	May 15 1849	148 00			148 00	Dec 4 1849			148 00	
77	Cook Jacob	P R Smith and C Hester	Sept'r 6 1849	37 40			37 40	Dec 4 1849				
78	Cartwright Jacob	James Brandon and Mathew Hubbard	March 1 1842	95 00	95 00	1 March 1845						
79	same	W H Pollard and same	March 9 1842	228 00	228 00	9 March 1845						
80	Carr James	Tho Gallison & Co, and C E Hillum	March 31 1841	85 00	85 00	31 March 1844						
81	Callahan Dennis	Mathew Hubbard and Jacob Cartwright	April 6 1842	228 00	228 00	6 April 1845						
82	same	John B Costa and C M McClellan	April 20 1842	80 00	80 00	20 April 1845						
83	Cowan Robert	James W Cowan and L F Cowan	March 18 1848	181 00			181 00	April 16 1849			181 00	
84	Crabaugh George	John Highland and J M Perryman	Sept'r 18 1848	117 00			117 00	April 16 1849	19 58			
85	Chandler Jacob	J Thompson	Oct'r 18 1848	31 00			31 00	April 16 1849	1 83			
86	Crawley S W	J A L Thockmorton and Jno Risley	Jan'y 15 1849	50 00			50 00	April 16 1849			50 00	
87	Calfee John	Robert Fletcher and F Harris,	March 15 1843	38 00	38 00	15 March 1846						
88	Casey John, jr	John Casey and Sam'l Carmichael	Feb'y 22 1843	185 00	185 00	22 Feb'y 1846						
89	Cartwright Jacob	Dennis Callahan and Jas S Brandon	April 30 1842	241 00	241 00	30 Aril 1845						
90	Cartha George	Wm P Clary and Ephraim Cate	Sept'r 12 1842	73 00	73 00	12 Sept'r 1845						
91	Corley D S	Wm B Strickler and Arthur Crawford	Feb'y 1 1843	68 00	68 00	1 Feb'y 1846						
92	Cartwright Jacob	Mathew Hubbard and Henry Gregg	July 28 1842	146 00	146 00	28 July 1845						
93	Cole Calvin G	John Cole and John Huitt	Aug. 1 1843	97 26	97 26	1 Aug. 1846						
94	Campbell Moses	J S Gillett, Cureton, Shepperd and Smithson	June 5 1840	4,474 00	4,474 00	5 June 1843						
95	Collins W W			491 46								491 46
96	Campbell John	as security for S F Atherton	March 9 1842	271 00								271 00
97	Clary Wm P	G Cathey and E Cotes	Sept'r 12 1842	202 00								202 00
98	Cathey George	Wm P Clary and E Cotes	Oct'r 29 1842	361 00								361 00
99	same	same and E C Clary,	Nov'r 13 1842	123 00								123 00
100	Carter John	Geo W Garrett and W C Garrett	April 1 1842	375 00								375 00
101	Carmichal Sam'l	John Carnahan and R D Carnahan	May 20 1843	189 00								189 00
102	Cook Thomas	G Lewis and Ebenezer Hanna	Aug 17 1842	100 00								100 00
103	Clark B G	As security for John Maloy,	March 15 1844	328 38								328 38
104	Criner J A.		March 6 1844	123 00								123 00
105	Callahan Dennis	John Hock and J Colville	Dec'r 14 1841	140 00								140 00
106	Clements A	S Jackson and H B Smith	March 1 1842	190 00								190 00
107	Caughman Nathan	P White and C White	Feb'y 1 1843	111 00								111 00
108	Collins James C	John McGarrah, et al.	Aug. 28 1840	800 00								800 00
109	Dickey Anthony	Samuel Stevenson	March 3 1843	64 00	64 00	3 March 1846						

[D.]

l Receiver of the
aid Branch Bank;
of such collection;

Branch of the Bank ofthe State of Arkansas, at Fayetteville, to Gen. Geo. W. Clarke, Bank Agent, in April, 1849; the notes that were barred by
the date of this receipt; the amounts credited on notes and judgments when received by Attorney, the notes on which J. M. Tebbetts, Bank At-
the notes and judgments due the Bank, on the 1st October, 1850; the amount of interest due on 1st October, 1850; the amount of principal an

	Amount of notes on which Tebbetts' obtained judgment in favor of the Bank.	Amount of notes on which judgment was recovered, by former attorney for which J. M. Tebbetts has not receipted.	Amount of cash collected by J. M. Tebbetts, Bank Attorney.	Date of collection made by J. M. Tebbetts, Bank Attorney,	Amount of notes due, or partly due, the Bank, on 1st October, 1850.	Amount of interest due, 1st October, 1850.	Total amount of principal and interest due the Bank, 1st Oct. 1850.	Amount supposed to be SOLVENT.	Amount supposed to be doubtful.	Amount supposed to be insolvent	Amount supposed tobe already lost.	REMARKS BY THE RECEIVER.	
	$	$	$		$ 95 00	$ 65 21	$ 160 21	$	$	$	$ 160 21		1
					525 00	350 70	875 70				875 00	I cannot ascertain the date of the credit $597 28, nor to whom the money was paid. If it was paid to Mr. Pulliam, I cannot find where he has entered it on the books	2
			4,994 20	1850	6,334 00		3,500 00	3,500 00					3
841,	684 00				684 00	317 68	1.001 68				1,001 68	Judgment for Bank in Circuit Court, but reversed by Supreme Court. See Eng. Rep. vol. 4, page 455. Now pending in Circuit Court.	4
1848					417 52		401 07	4 1 07					5
		159 45			159 45	96 68	256 13		256 13				6
		175 52			175 52	86 25	261 77			261 77			7
			794 72	May 16 1849									8
48,			481 01	May '49 May '50	600 00		218 00	218 00					9
		131 42			131 42	79 52	210 94			210 94			10
		152 00	221 80	April 23 1849									11
	59 00				59 00		8 25	8 25					12
		644 00			644 00	337 02	981 02		981 02				13
		708 00	361 28	April 17 1849								The amount paid on this judgment before 6th April, 1849, I cannot tell; but the amount paid to Tebbetts appears to be in full.	14
		144 00			144 00	87 40	231 40		231 40				15
	100 10				100 10	40 65	140 75			140 75			16
	450 00		525 00	unknown to me									17
	428 00		674 61	May 17 1850	unknown,								18
844,	413 00		553 00	Aug. 28 1849									19
			117 48	Aug. 27 1849	219 00		203 20	203 20					20
46,	20 00				20 00		16 06	16 06					21
					200 00	361 56	361 56				361 53	Statute of limitation plead successfully. Barred before being placed in Tebbetts' hands for suit. Financial Receiver should be liable.	22
					1,035 00	626 75	1,661 75				1,661 75		23
					20 00	9 82	29 82			29 82			24
	92 24				92 24	21 98	114 22	114 22					25
	116 81		137 00	Oct. 4 1849 & Nov. 13 1849									26
	60 74				60 74	10 93	71 67	71 67					27
			33 20	Oct'r 4 1849									28
5,	445 00		437 11	1850									29
					30 00	8 60	38 60		38 60			The Attorney has not been able to discover the whereabouts of these gentlemen. Who can give the information?	30
	179 57				179 57	54 21	233 78	233 78				Paid by, or will be paid by M. Rose, Esq., the security.	31
					11 54	3 66	15 20	15 20					32
			20 00	April 17 1849	81 00		60 38	60 38					33
	478 00				478 00	168 80	646 89	646 89				John S., and Joel D. Blair are gone to Texas, but the security is good.	34
					237 00	45 64	282 64				282 64	All gone to Texas. They went about the time the note was due, or before,	35
					237 00	45 64	282 64				282 64	All gone to Texas. They went about the time the note was due, or before.	36
					185 60	8 14	193 74	193 74					37
					1,458 00	227 07	1,685 07		1,685 07				38
7			42 40	June 15 1850									39
	136 00		235 68	4Sept '49 16 Mar '50									44
	170 19		284 25	Sept'r 4 1849									41
	90 00		150 00	Oct'r 22 1849									42
	304 28		503 18	Sept'r 4 1849									43
			469 50	Oct'r 6 1849									44
			53 00	Aug. 9 1849									45
					582 00	351 14	933 14				933 14		46
					592 00	386 77	978 77				978 77		47
					119 00	47 02	166 02				166 02	This note is credited with $5, December 5, 1849,	48
					236 00	161 34	397 34				397 34		49
					646 00	442 81	1,088 81				1,088 81		50
					142 00	96 40	238 40				238 40		51
					400 00	333 60	733 60				733 60		52
					41 00	24 78	65 78				65 78		53
					25 00	18 20	43 20				43 20	One half of the original amount of this note was paid,	54
					42 00	25 66	67 66				67 66		55
					180 00	106 40	286 40				286 40		56
	30 00				30 00	5 04	35 04	35 04					57
					485 00	126 18	611 18		611 18				58
			70 00	after 1 July, '50	82 73		51 35		51 35				59
	25 00				25 00	15 98	40 98		40 98			The money is collected and in hands of the Sheriff.	60
	162 00		175 00	May 21 1849	162 00		63 96	63 96					61
	122 00				122 00	38 90	160 90	160 90					62
	46 00				46 00	20 92	66 92	66 92					63
			45 00	12 Nov '49 $15. 23 April '50 $30	74 97		50 86	50 86					64
			360 59	Oct'r 30 1849									65
	151 00		187 83	various.	151 00		36 70	36 70				In suit. I presume this debt can be collected, if the Bank can get judgment.	66
					197 00		112 92	112 92					67
					800 00	376 16	1,176 16		1,176 16				68
					285 00		46 41	46 41					69
					1,002 00	682 36	1,684 36				1,684 36		70
					1,343 00	931 14	2,274 14				2,274 14		71
					296 00	142 25	438 25				438 25		72
					419 00	258 61	677 61				677 61	This note is credited with $[illegible]	73
					190 00	126 33	316 33				316 33		74
					258 00	123 34	381 34				381 34		75
	148 00		90 00	April 15 1850	148 00		74 83	74 83					76
			39 50	March 21 1850									77
					95 00	65 23	160 23				160 23		78
					228 00	156 04	384 04				384 04		79
					85 00	64 60	149 60				149 60		80
					328 00	154 54	382 54				382 54		81
					80 00	55 10	135 10				135 10		82
	181 00				181 00	45 85	226 85	226 85					83
					117 00		113 40	113 40				In suit.	84
			32 08										85
	50 00				50 00	8 54	58 54	58 54					86
					38 00	22 92	60 92				60 92		87
					185 00	112 68	297 68				297 68		88
					241 00	162 27	403 27				403 27		89
					73 00	47 00	120 00				120 00		90
					68 00	41 70	109 70				109 70		91
					146 00	95 40	241 40				241 40		92
					97 26	55 75	153 01				153 01		93
					4,474 00	3,693 53	8,167 53				8,167 53		94
		491 46	80 00									The $80 paid to Mr. Tebbetts appears to be in full of this judgment. Amount heretofore ecollected on it, I cannot tell.	95
		271 00			271 00	231 00	502 00			502 00			96
		202 00			202 00	162 50	364 50			364 50			97
		361 00			361 00	285 80	646 80			646 80			98
		123 00			123 00	96 90	219 90			219 90			99
		375 00			375 00	318 75	693 75			693 75			105
		189 00			189 00	139 12	328 12			328 12			101
		100 00			100 00	80 95	180 95			180 95			102
		328 38			328 38	214 75	543 13			543 13			103
		123 00			123 00	80 75	203 75			203 75		Some of those judgments may be paid in full, or in part, but the books show no payments on any of them. As they have been long standing, and I know some of the parties to be insolvent. I have set them all down insolvent Some of them may be yet paid.	104
		140 00			140 00	123 09	263 09			263 09			105
		190 00			190 00	163 08	353 08			353 08			106
		111 00			111 00	85 08	196 08			196 08			107
		800 00			800 00	807 32	1,607 32			1,607 32			108
					64 00	38 80	102 80				102 80		100

	PRINCIPAL.	SECURITIES.	Notes, when due.	Amount of notes.	Amount of notes turned over to B'k Agent, by R. P. Pulliam, that were barred by Statute.	Date when bar attached.	Amount of notes placed in the hands of J. M. Tebbetts, Bank Attorney, for collection.	Date of J. M. Tebbetts' receipt for notes.	Amount credited on notes and judgments when placed in Tebbetts' hands for collection.	Date of credit on notes and judgments, when placed in Tebbetts' hands for collection.	Amount of notes on which Tebbetts obtained judgment in favor of the Bank.	Amount of notes on which judgm't was recovered by former Attorneys,
0	Duckworth T M	James Caldwell and Warren Wright,	9 July 1842	$ 540 00	$ 540 00	9 July 1845	$		$		$	$
1	Dennis John	Benj Dennis and Wm Dennis, Sr.	14 March 1843	42 00	42 00	1 March 1846						
2	Davenport Wm	A Harnage and John Huitt,	9 Feb'y 1842	86 00	86 00	9 Feb 1846.						
3	Dickson J D	G G Pace and E J A Dickson,	20 Sept 1845	26 00			26 00	14 June 1847	3 00			
4	Dickson John B	James A Dickson and E D Dickson,	12 Feb 1845	318 36			318 38	13 July 1847	19 00	25 Jan 1845	318 36	
5	Dickenson Jas P	John J Vanhoose and P Mankins, Jr.	9 Sept 1844	81 00			81 00	13 July 1847	10 00	16 March 1846	81 00	
16	Dillard John	James A Scott and W Duval	6 Sept 1842	735 00			735 00	25 July 1847			735 00	
117	Dickson M W	A M Morrison and W W T Dickson	9 March 1847	85 00			85 00	29 March 1848				
118	Dunlap Jesse	L D Dunlap and A P Dunlap,	9 Oct 1844	41 00			41 00	29 March 1848	15 00			
119	Dillingham Arthur	S G Sneed and A Dillingham,	18 May 1849	258 15			258 15	4 Dec 1849				
120	Drake Isaac	J Drake and E Drake,	9 Sept 1848	53 76			53 76	16 April 1849	11 40			
121	Dodson G M	C Mobley and C R Mobley,	12 Sept 1842	73 00								
122	Durham Joab											
123	Enyart S B	John Enyert,	18 April 1848	852 00			852 00	16 April 1849				
124	Easley Wm	L Graham and B M Easley,	20 Sept 1847	70 42			70 42	16 April 1849	30 00	4 Aug 1848		
125	Evans Sam'l	Unknown to me,	29 April 1844	1,854 38								1,
126	Estice Wm J	James Wilson and A M Wilson,	3 March 1843	158 00								
127	Elliott James	Jacob Durham and T L Green,	25 Sept 1844	128 83			128 83	25 July 1847			128 83	
128	Evans Onesimus	Tho C Wilson and G G Gregg,	21 March 1844	338 00	338 00	21 March 1847						
129	Fletcher Job	J F Harris and R Fletcher,	9 Sept 1844	81 00			81 00	14 June 1847			81 00	
130	Fletcher James	B Marshall and John Fletcher,	26 Feb 1842	42 00			42 00	25 July 1847			42 00	
131	Forest Geo W	Andrew Newman and J C Pitner,	21 April 1849	216 43			216 43	4 Dec 1849				
132	Fletcher John	A B James,	15 March 1848	37 00			37 00	16 April 1849				
133	Floyd James N	W W Floyd and M Rose	20 Oct 1848	152 54			152 54	16 April 1849	50 00			
134	Fletcher Robert	John Calfee and W A Throchmorton,	6 Macrh 1843	85 00	85 00	6 March 1846						
135	Gilleland J B	John P Gilleland and Wm Perry,	1 April 1844	308 90	308 90	1 April 1847						
136	Gillet James S	H D O'Bryant, H G Cardwell and R P Pulliam	3 Sept 1842	90 00	90 00	3 Sept 1845						
137	Graham Allen	Nelson Graham and Ira E Graham,	12 March 1843	250 00	250 00	12 March 1846						
138	Graham George	Ja's McKisick and Jno McGarrah,	29 Feb 1842	95 00	95 00	1 March 1845						
139	same	Ira Giaham and Ira E Graham,	6 Feb 1842	27 00	37 00	6 Feb 1845						
140	Graham Ira E	Allen Graham and Geo Graham, Sr.	12 March 1843	68 00	68 00	12 March 1845						
141	Givens Alexander	H F Kerby and Wm Munkers,	1 March 1842	95 00	95 00	1 March 1845						
142	Gibson Joseph	Augustin Lillard and Aaron Parker,	12 March 1843	36 00	36 00	12 March 1846						
143	Garrett J B	James F Gaines,	11 April 1849	77 00			77 00	4 Dec 1849				
144	Greenwood A B	J H Hammock and J B Williams,	13 Jan 1848	78 12			78 12	16 April 1849				
145	same	S G Sneed and Isaac Murphy,	28 May 1848	80 64			80 64	16 April 1849				
146	Gregg Jacob	Alexander Boyd and P Skidmore,	9 Sept 1844	40 16			40 16	14 June 1847				
147	Garrett W C	L J Garrett and G W Garrett,	12 Sept 1844	71 79			71 79	14 June 1847			71 79	
148	Garrett W M	Wesley Garrett and L J Garrett,	18 Sept 1844	55 75			55 74	14 June 1847			55 75	
149	Guthry Thos	W. Thornberry and J Brickey,	9 Oct 1844	80 00			80 00	14 June 1847	10 00	21 March 1845	80 00	
150	Gordon T W	Mathew Hubbard and H G Cardwell,	15 March 1843	977 00			977 00	27 July 1847			977 00	
151	Gardenhire Jacob H	James Riddle and S Matlock,	6 Jan 1847	143 00			143 00	27 March 1848	40 00	27 Feb 1847		
152	Gage John	Wm Gage and L C Hudspeth,	9 March 1843	81 00			81 00	27 July 1847				
153	Gage William	John Gage and same,	9 March 1843	42 36			42 36	27 July 1847				
154	Graham Berry D	John McGarrah and Levi Graham,	9 March 1842	191 00								
155	Garrett Leonard J	Nothing in Bank to show who they are,		273 92								
156	Garrett G W	Nothing in Bank to show who they are,		338 40								
157	Graham Ira	J E Graham and W Graham,	9 March 1842	304 00								
158	Glasgow & Harrison	James Sutton and John Henry,	1[illegible] June 1843	6,176 00			6,175 00	16 April 1849				
159	Hinds David	W G Turner and John Gregg,	9 Oct 1844	319 90	319 00	9 Oct 1847						
160	Henderson Alfred	No security,	17 Oct 1844	434 25	434 25	17 Oct 1847						
161	Herrick Isaac	Wm Miller, Sam'l Putnum and Jas Armstrong,	2[illegible] Feb 1842	475 00	475 00	1 March 1845						
162	Hewitt John	Thos B Ballard and James Little,	2 Sept 1842	98 00	98 00	2 Sept 1845						
163	Harmanson Heter	E B Alston and John I Horton,	1 Feb 1843	93 25	93 25	1 Feb 1846						
164	Hock John	Jesse Hock and Jacob Cartwright,	9 March 1842	120 00	120 00	9 March 1845						
165	Harris J F	John Calfee and R Fletcher,	2[illegible] Sept 1844	70 00			70 00	14 June 1847			70 00	
166	Holman John	John Buchanan and H B Brown	1[illegible] Sept 1844	135 00			135 00	25 July 1847			135 00	
167	Howrey George	Dan'l Howery, and John McGarrah,	1 March 1842	95 00	95 00	1 March 1845						
168	Herrick Isaac	Wm Miller and Ja's Armstrong,	3 Sept 1842	451 00	451 00	3 Sept 1845						
169	Harnage Ambrose	John Huitt and Wm Davenport,	3 March 1843	240 00	240 00	3 March 1849						
170	Harris J F	John Calfee and W F Thockmorton,	1[illegible] March 1844	105 00								
171	Hannah Milton	Unknown to me,		121 00								
172	Hunt William	Unknown to me,	1[illegible] March 1844	254 00								
173	Harris Arnold	Elias Rector and C Harris,	10 March 1841	1,935 00								
174	Hunt William	O Ramsey and Geo Lewis,	1[illegible] March 1843	267 00								1,
175	Hubbard Mathew	T W Gordon and Jacob Cartwright,	3 Sept 1842	567 00	567 00	3 Sept 1845						
176	Hardwick John	C F Hardwick and J M Holmes,	12 Sept 1842	35 00	35 00	12 Feb 1845						
177	Hurst Edw'd M	Wm W Hurst and Wm Kiser,	3 Sept 1842	90 00	90 00	3 Sept 1845						
178	Houry Daniel	Geo Howry, Sr. and M Hubbard,	10 June 1842	57 00	57 00	10 June 1845						
179	Hubbard Benj	Isaac Horton and same,	6 March 1843	51 00	21 00	6 March 1846						
180	Hartgraves John	S Pharris, H Hartgraves and E Burleson	4 Sept 1844	294 00			294 00	25 July 1847			294 00	
181	Howard Wm J	C E Hilburn and M Hilburn,	2 March 1842	237 00			237 00	25 July 1847			237 00	
162	Hanger Peter	Geo W Paschal and John Henry,	9 Aug 1844	558 00			558 00	25 July 1847				
183	Hawkins Benj	Wm Hawkins and W C Stevens,	9 March 1848	155 90			155 90	25 July 1847			155 90	
184	Hanna Samuel	J P Hanna and Evan Hanna,	23 Sept 1847	100 00			100 00	27 March 1848			100 00	
185	Holt John	John Johnson, and Wm Johnson,	18 Oct 1846	57 00			57 00	27 March 1848	28 50	1849		
186	Harris Robert	Ja's Harris and James Fletcher,	23 Sept 1847	20 00			20 00	27 March 1848				
187	Hazen N M	Tho Hazen and Morrill and Marean,	12 Dec 1842	500 00			500 00	27 March 1848				
188	Hulsey A	J A Hicks and Alex Hulsey,	15 Nov 1844	168 17			168 17	31 May 1848	140 00	{ 28 Mar. '43, $347		
189	Howel John	John M Ross and S J Howel,	29 Aug 1842	1,523 00			1,523 00	31 May 1848	1,328 87	{ Oct. '43, $981 87		
190	Howard Wm J	C S Pace,	16 May 1849	340 00			340 00	4 Dec 1849			340 00	
191	Henderson S W	W T Neel and James P Neel,	9 April 1849	113 03			113 03	16 April 1849				
192	Hanger Peter	Paschal & Ogden and Eli Bell,	6 Feb 1849	3,820 63			3,820 63	16 April 1849				
193	Howel J E	P R Smith,	19 March 1849	23 45			23 45	16 April 1849				
194	Holcomb John	Jos Holcomb and P R Smith,	18 Dec 1848	166 00			166 00	16 April 1849	79 99			
195	Hanger Peter	No security,	1 Oct 1845	100 00			100 00	16 April 1849				
196	Horton John H	Caleb Horton and J Horton,	26 May 1849	36 00								
197	Irby Jeptha C	Wm Irby and Benj Irby,	11 Aug 1842	108 00	108 00	11 Aug 1845						
198	Irby Elizabeth	same and Daniel P Irby,	11 Dec 1842	151 00	151 00	11 Dec 1845						
199	Irby Jeptha C	same and Benj Irby,	27 Jan 1843	370 00	370 00	27 Jan 1846						
200	Ingraham James	John Ingraham and E C Sneed,	18 Feb 1847	86 00			86 00	16 April 1849	14 00			
201	Irby William W	B F Irby and J C Irby,	4 Nov 1844	410 40			410 40	13 July 1847			410 40	
202	Irvin John	Wm Irvin and Robert McCamy,	9 April 1844	56 66			56 66	27 March 1848			56 66	
203	Irvin John	same and A C Yell,	19 April 1847	365 00			365 00	27 March 1848			365 00	
204	Jenkins Wm G	Thos Moore and Barton B Clements,	18 Feb 1841	185 00	185 00	18 Feb 1844						
205	Jones James H	E E McConnell and Tho G Robinson,	16 Jan 1842	255 00	255 00	16 Jan 1845						
206	same	same same	1 March 1842	140 00	140 00	1 March 1845						
207	Johnson Abel	Alex C Yell and J B Costa,	17 Dec 1844	136 74			136 74	14 June 1857			136 74	
208	Johnson William	John Johnson and John Holt,	18 Sept 1846	33 00			33 00	27 March 1848			33 00	
209	John B F	J A Wheeler and B F Wheeler,	15 Sept 1848	367 00			67 00	16 April 1849	38 62			
210	James A B	Wm Tucker and John Fletcher,	4 March 1849	34 00			34 00	16 April 1849				
211	Johnson William	Wm Collier and John W Patrick,	2 March 1849	704 00								
212	Jenkins Wm G	Alfed Henderson and W P Moore,	20 Jan 1842	900 00					317 50	October 1846		
213	Jackson Freeman	John B Brown and N W Brown,	3 Jan 1848	231 00			231 00	27 March 1848				
214	Knox Geo W	John Henry and Edward Cunningham,	3 Sept 1842	855 00	855 00	3 Sept 1845	855 00	4 Dec 1849				
215	Heller John R	John Lewis and L Brodie,	26 Aug 1841	200 00	200 00	26 Aug 1844						
216	Kirby H F	Wm Munkers and Wm Buchanan,	23 Sept 1844	410 64			410 64	14 Juue 1847			410 64	
217	Karns Jas W	Sam'l Adams and L J Garrett,	4 Aug 1845	121 00			121 00	14 June 1847	7 04		121 00	
218	King John F	W C Roark and G W King,	21 Feb 1844	613 00			613 00	13 May 1848	100 00	21 April 1848		
219	Kendrick Obadiah	W Tilly and Jas White,	6 March 1844	198 00								
220	Floyd Thomas	John Lloyd, Sr, and W C Roberts,	1 March 1842	150 00								
221	Logan Jas O	J L Cravens and J R H Scott,	6 March 1843	343 00					200 00	8 Sept 1846		
222	Lewis Anthony	Samuel Adams and M Rose,	23 July 1841	209 00					2 99	20 March 1844		
223	Lewis Brakin	Unknown to me,		471 00								
224	Lockridge James	Unknown to me,		387 00								
225	Lewis George	Bracken Lewis and P Munkers,	15 March 1842	211 00								
226	Lamkin Wm A	Mortgage,	27 Sept 1848.	825 00			825 00	16 April 1849				

[D] Continued.

obtained judgment in favor of the Bank.	Amount of notes on which judgm't was recovered by former Attorneys, and for which J. M. Tebbetts has not receipted.	Amount of cash collected by J. M. Tebbetts, Bank Attorney.	Date of collection made by J. M. Tebbetts, Bank Attorney.	Amount of notes due, or partly due the Bank, on 1st October, 1850.	Amount of interest due 1st October, 1850.	Total amount of principal and interest due the Bank, 1st October, 1850	Amount supposed to be Solvent.	Amount supposed to be doubtful.	Amount supposed to be Insolvent.	Amount supposed to be already lost.	REMARKS BY THE RECEIVER.	
	$	$		$ 540 00	$ 355 20	$ 895 20	$	$	$	$ 895 20		110
				42 00	25 34	67 34				67 34		111
				86 00	52 55	138 55				138 55		112
				23 00	9 25	32 25	32 25					113
18 36		424 26	Various.									114
81 00				81 00	39 05	120 05	120 05					115
35 00				735 00	592 90	1,327 90	1,327 90					116
				85 00	24 17	109 17	109 17					117
		31 00	22 Oct 1849									118
		268 90	15 Oct 1849									119
		10 00	21 June 1849	53 76		40 36	40 36					120
	73 00			73 00	58 70	131 70		131 70				121
		93 00	4 Sept 1849								There is nothing on the books to show what note this money was paid on. It appears to be a balance due.	122
		1,020 00	20 May 1850									123
				70 40		53 50	53 60					124
	1,854 38			1,854 38	1,189 84	3,044 22			3,044 22			125
	158 00	106 33	26 Sept 1849									126
28 83		178 00										127
				338 00	45 65	383 65				383 65	$94 credit on this note, 1 November, 1844,	128
81 00		60 00	19 Nov 1849								Fletcher was insolvent. Executions was returned nulla bona. He agreed to pay $60 to Mr. Tebbetts, if he would release him, which he did.	129
42 00				42 00	36 05	78 05						130
		237 00	15 April 1850						78 05			131
				37 00	7 52	44 52		44 52				132
		113 47	13 April 1850									133
				85 00	51 45	136 45				136 45		134
				308 90	160 61	469 51				469 51		135
				90 00	58 15	148 15				148 15		136
				250 00	151 00	401 00				401 00		137
				95 00	65 23	160 23				160 23		138
				27 00	18 68	45 68				45 68		139
				68 00	41 05	109 05				109 05		140
				95 00	65 23	160 23				160 23		141
				36 00	21 72	57 72				57 72		142
				77 00	9 10	86 10	86 10					143
				78 12	16 96	95 08	95 08					144
				80 64	15 08	95 72	95 72					145
				40 16	19 43	59 59		59 59				146
71 79				71 79	34 70	106 49			106 49		Judgment in Johnson county,	147
55 75				55 75	26 90	82 65			82 65		Judgment in Johnson county,	148
80 00				80 00	33 95	113 95		113 95			Judgment in Benton county,	149
77 00		1,200 00									The payment of $1,200 to Mr. Tebbett, was received by him in full discharge of this debt, on a compromise,	150
		130 00	1849 and 1850									151
				81 00	49 00	130 00	130 00					152
				42 36	26 22	68 58	68 58					153
	191 00			191 00	163 41	354 41			354 41		I cannot find notes in Bank to correspond with the amount of these two judgments. The Receiver failed to register the notes in the "Bill Books," since 1843. In fact none of the Books have been properly kept since that time. These judgments were turned over by Mr. Pulliam to General Clarke, as assets of the Bank. I have supposed the notes on which they were rendered, to be due in March, 1845. They may yet be due.	154
	273 92			273 92	152 92	426 84			426 84			155
	338 40			338 40	188 94	527 34			527 34			156
	304 00			304 00	260 10	564 10			564 10		Two notes of $152 each, due same day, and same securities,	157
		8,336 25	7 April 1849									158
				319 00	152 44	471 44				471 44		159
				434 25	207 00	641 25				641 25		160
				475 00	326 17	801 17				801 17		161
				98 00	63 36	161 36				161 36		162
				93 25	57 19	150 44				150 44		163
				120 00	82 16	202 16				202 16		164
70 00				70 00	42 13	112 13		112 13				165
35 00				135 00	81 46	216 56	216 55					146
				95 00	65 23	160 23				160 23		167
				451 00	291 00	742 00				742 00		168
				240 00	145 45	385 45				385 45		169
	105 00			105 00	79 19	184 19		184 19				170
	121 00	127 67	23 April 1850									171
	254 00			254 00	166 16	420 16			420 16		This may not be correctly dated: I can find no note on the Books, to correspond with the amount of this judgment.	172
	1,935 00			1,935 00	1,849 00	3,784 00			3,784 00			173
	267 00			267 00	201 36	468 36			468 36			174
				567 00	366 29	933 29				933 29		175
				35 00	22 52	57 52				57 25		176
				90 00	58 16	148 16				148 16		177
				57 00	38 25	95 25				95 52		178
				51 00	30 87	81 87				81 77		179
94 00		339 02	after July 1850	294 00		131 00	131 00					180
37 00				237 00	203 20	440 20	440 20	900 55				181
				558 00	342 55	900 55					Now pending in Supreme Court. Good, if judgment can be obtained.	182
55 90		177 50	26 Sept 1849									183
00 00				100 00	30 19	130 19	130 19	37 55				184
				57 00		37 55						185
				20 00	4 82	24 82	24 82	828 00			In suit in Washington county. Good, if judgment can be obtained vs. all the parties.	186
				500 00	328 00	828 00						187
		33 75	23. April 1849									188
		400 00	21 June 1850									189
340 00				340 00	46 60	386 60	386 60					190
		141 25	5 May 1849								In suit in Washington county.	191
				3,820 60	504 93	4,324 93	4,324 93					192
		25 79	26 May 1850									193
		48 01	6 April 1849								Now in the hands of D. W. Carroll, Esq., Attorney for the Principal Bank,	194
				100 00	40 00	140 00	140 00					195
		34 10	3 Oct 1849	36 00		5 74	5 74					196
				108 00	70 34	178 34				178 34		197
				151 00	94 30	245 30				245 30		198
				370 00	226 93	596 93				596 93		199
		90 00	28 May 1849								Judgment in Washington county. Fi. fa. issued, and returned nulla bona.	200
410 40				410 40	243 23	653 63			653 63		Judgment in Washington county.	201
56 66				56 66	19 67	79 33	76 33					202
365 00		450 32	22 Sept 1849									203
				185 00	142 28	327 28				327 28		204
				255 00	177 60	432 60				432 60		205
				140 00	96 13	236 13				236 13	Judgment in the Probate Court of Washington county.	206
136 74		76 82	10 Aug 1849	136 74	4 23	140 97	140 97					207
33 00				33 00	13 30	46 30	46 30					208
		361 21	20 Sept 1849									209
				34 00	4 28	38 28	38 28					210
	704 00	1,097 00	1849									211
	900 00			900 00	465 00	1,365 00		1,365 00				212
		272 40	30 Oct 1849									213
				855 00	552 33	1,407 33				1,407 33	Statute of limitation taken advantage of, and debt thereby lost. The parties are solvent. Officers of B'k should be liable.	214
				200 00	145 50	345 50				345 50	Lost by negligence of the Bank officers.	215
410 64				410 64	247 13	657 77			657 77			216
121 00				121 00	51 71	173 71			172 71			217
				613 00	50 00	663 00		663 00			This note is now in the hands of the Receiver at Little Rock. There was $100 paid to Thornton on this note, and $77 50 paid to me, on the 21st Aug., 1849. New note put in, but not sufficient money paid to renew,	218
	198 00			198 00	169 62	367 62		267 62			I know nothing of the parties. The debt may be lost. I consider it doubtful, at least, after standing 8 1-2 years.	219
	150 00			150 00	128 75	278 75		278 75				220
	343 00			343 00	26 87	359 87	369 87					221
	209 00			209 00	186 38	395 38	395 38				This debt should have been collected long since. If judgment is not rendered vs. Rose, the debt is doubtful.	222
	471 00	738 71	22 Oct 1849								I can find no note on the Books to correspond with the amount of this judgment.	223
	387 00	595 70	3 Oct 1849								I can find no note to correspond with the amount of this judgment.	224
	211 00			211 00	159 12	370 12	370 12				This judgment may be paid. The returns and books are in such condition, I cannot tell positively.	225
				825 00	132 54	957 54		957 54				226

[D.]

	PRINCIPAL.	SECURITIES.	Note, when due.	Amount of Note.	Amount of notes turned over to Bank Agent, by R. P. Pulliam, that were barred by Statute.	Dates when bar attached.	Amount of notes placed in the hands of J. M. Tebbetts, Bank Attorney, for collection.	Date of J. M. Tebbetts' receipt for notes.	Amount credited on notes and judgment when placed in Tebbetts' hands for collection.	Date of credit on notes and judgments, when placed in Tebbetts' hands for collection.	Amount of notes on which Tebbetts' obtained judgment in favor of the Bank.	Amount of notes on which judgment was recovered by former attorney for which J. M. Tebbetts has not receipted.
227	Leeper Mathew	James H Stirman	August 9 1848	$ 1,465 27	$		$ 1,465 27	April 16 1849	$ 450 00		$	$
228	Lafferty Henderson S	Jon'n A Hicks and J B Lafferty	Sept 6 1848	160 50			160 50	April 16 1849			160 50	
229	Lanningham E P P		Feb'y 9, 1844,	9 50			9 50	May 31 1848				
230	Lyon John W	Robert Finley, and Jas Lyon	Jan'y 1 1847,	96 47			96 47	Mar 27 1848	45 00	6 April 1847		
231	Lewis Brakin	George Lewis and Henry Wilson	March 18 1845	237 00			237 00	July 25, 1847,			237 00	
232	Lamb Alfred	Wm Hatfield and Jacob Pierson	March 6 1843	85 00	85 00	Mar. 6 1846						
233	Larrabee Jas V	John Shirlock and James Holcomb	Sept 18 1844	132 31	132 31	Sept 15 1847						
234	Lynde A M	Wm L Weddington and H Powel	Feb'y 29 1842	137 00	137 00	March 1 1845						
235	Floyd John, Jr	Thos Floyd and John Floyd	Jan'y 26 1842	37 00	37 00	Jan 26 1845						
236	McLain Ewin W	E W McClure and J A L McClure	May 22 1849	2,187 00			2,187 00	Mar 10 1849				
237	McCulloch W A L.	E W McCulloch and J A Haywood	Jan'y 9 1849	334 38			334 38	April 16 1849				
238	McConnell J G	H Stotts and A McConnell	Oct 18 1848	200 00			200 00	April 16 1849				
239	McConnell E E	Isacc N Robinson and Ab. Sinclair	Oct'r 17 1841	1,500 00								1,50 00
240	same	Jas H Jones same	Aug 26 1841	250 00	250 00	Aug. 26 1844						
241	McClellan & Wilson	Onesimus Evans	March 6 1842	4,508 00	4,508 00	March 6 1845						
242	McIlhany William	E Ledbetter and Wm Robinson.	Oct'r 18 1844	39 62			39 62	June 14 1847	5 00	1 March 1845	39 62	
243	McCurdy Sam	Wm A McCurdy, and W C McCurdy,	April 17 1845	39 00			39 00	June 14 1847			39 00	
244	McCurdy Wm	same same	April 14 1845	48 00			48 00	June 14 1847			48 00	
245	McClellan & Wilson	Thomas C Wilson and E W McClellan	Oct'r 12 1844	1,020 00			1,020 00	July 13 1847			1,020 00	
246	McKisick Alex H	Jas McKissick and A M Wilson	May 9 1846	95 00			95 00	May 31 1848	60 00	April 29 1848		
247	same	W S Oldham and Jesse K Oldham	April 12 1842	1,235 00	1,235 00	April 12 1845						
848	McGarrah Thos	Wm McGarrah and J Wolf	Sept 18 1844	105 00			105 00	Mar 27 1848	67 62	Aug. 5 1847		
249	McKissick Joseph	A B Greenwood	Sept 15 1844	151 00			151 00	June 14 1847			151 00	
250	McGarrah John	Thos McGarrah and M Hubbard,	March 9 1842	1,270 00	1,270 00	March 9 1845						
251	same	Lewis Walker same	March 1 1842	45 00	45 00	March 1 1845						
252	Mussett Alvin	Peter Hanger and Thos Wilson	March 1 1842	475 00	475 00	March 1 1845						
253	Miller William	Elias Harrell and Robt Fletcher	March 3 1842	86 00	86 00	March 3 1846						
254	Moore Samuel	A H McKisick and M D Frazier	May 1 1842	95 00	95 00	May 1 1845						
225	Moore Rob T	Wm Munkers and A Givens	March 1 1842	95 00								95 00
256	Matthews Ralph	P Matthews and J Stout	Aug. 19 1842	130 00								130 00
257	Miller Jacob	R Polley and Geo B Stagner	March 1 1848	200 00			200 00	Dec 4 1849				
258	Mitchell James	G E Webber and W H White	Dec'r 18 1842	153 00								153 00
259	same	same J F Williams	Aug. 12, 1842,	607 00								607 00
260	same	same B F Johnson	Aug. 12 1842	1,812 00								1,812 00
261	Murphy Isaac	Lewis Evans and W S Oldham	May 10 1842	950 00								950 00
262	Moreland W W E	James Maddin and A Sinclair	March 1 1842	605 00								605 00
263	Moreland Jeremiah	Not on the books	May 3 1843	472 38					16 62	Aug. 5 1842		472 38
264	same	James Maddin		213 17								213 17
265	Molden Zachariah	T M Williford and S Y Wilson	March 6 1843	253 00								253 00
266	Munkers William	unknown	Feb. 1 1844	389 00								389 00
267	Morton Andrew	W Hartgraves and S Farris	Feb'y 24 1842	268 50								268 50
268	McKinney George	D L Bourland and H Bonrland	March 15 1843	861 00								861 00
269	Mills Dan'l R	John Drennen and Peter Hanger	Aug 26 1841	500 00								500 00
270	Moore Thomas	Wm G Jenkins and A Henderson	Sept 20 1839	972 00					149 76	May 20 1841		972 00
271	Mays John	Daniel Mays	Sep 9 1844	80 00			80 00	June 14 1847			80 00	
272	Miller Jas	St Strickland and J Webb	March 9 1845	29 00			90 00	June 14 1847			29 00	
273	Morrison Joseph	Seaborn G Sneed	March 23 1845	121 83			121 83	June 14 1847			121 83	
274	same	same A A Talkington	March 6 1845	90 00			90 00	June 14 1847			90 00	
275	Morgan Wm	John DeHart and Harman Mickle	Sept'r 18, 1844,	257 00			257 00	June 14 1847	30 00			
276	Matlock John	Sol Waldren and John Waldren	Sept 18 1844	131 00			131 00	July 25 1847			131 00	
277	Mitchell Sam	Abr. Whinnery and A C Yell	Oct'r 1 1844	320 00			320 00	July 25 1847				
278	Minor Joshua	Richard Phelan and J Phelan	Jan'y 15 1845	267 50			267 50	Mar 27 1848				
279	Moore Joseph P		Jan 30 1846	671 49			671 49	May 31 1848	648 97	Aug. 15 1847		
280	Morrison R A	J H Morrison and A M Morrison	Sept'r 18 1848	100 00			100 00	April 16 1849				
281	Morrison A M	same R A Morrison	March 9 1849	55 00			55 00	April 16 1849				
282	Mitchell Wm C	A M Wilson, E C Beller and J D Mitchell	May 4 1848	4,000 00			4,000 00	April 16 1849				
283	Miller John	Wm B Thomas	Oct'r 12 1848	93 00			93 00	April 16 1849	79 00			
284	Mobly Clement	Sam Swearingin and D R Mobly	June 1 1845	152 00			152 00	July 13 1847			152 00	
285	Nail Mathew	James McKisick and Wm Ingraham	March 1 1842	47 00	47 00	1 March 1845						
286	Neal Joseph	W W Dickson and J B Robinson	July 29 1842	69 00	69 00	29 July 1845						
287	Nall Larkin	John Odle and D Cuthbert	July 9 1849	110 00			110 00	Dec 4 1849				
288	Newman J H	C Whitson and John Armstrong	Dec 2 1842	361 00								361 0
289	Nail Aquilla		March 12 1845	52 36			52 36	July 13 1847				
390	Nolin Isaac T	J C Pitman and D W Dorris	March 9 1847	50 00			50 00	Mar 27 1848				
291	same	H Appleby and Wm T Larremore	Sept'r 17 1844	122 00			122 00	Mar 27 1848	95 00	Feb'y 9 1847		
292	Nunley Jas A	T Cude and J M Liggett	March 9 1849	91 21			91 21	April 16 1849				
293	Oxford B H	Mack Boyd and Abel Oxford	Sept'r 3 1842	135 00	135 00	3 Sept'r 1845						
294	Ogden Wm R	Elisha Puett and G P Wallace	Sept'r 3 1842	54 00	54 00	3 Sept'r 1845						
295	Outzen Azmus	H Larkins and Jacob M J Smith	March 13 1841	170 00	170 00	12 March 1844	170 00	Dec 4 1849				
296	Onstott Joshua	John Creager and Geo Creager	July 20 1842	135 00	135 00	July 29 1845						
297	Oliver Alfred	N Spring and L Brodie	Jan'y 15 1843	1,064 45	1,064 45	Jan 15 1846						
298	Olver William	John Oliver and Wm Rogers	Sept'r 18 1847	66 00			66 00	April 16 1849	36 36			133 0
299	Onstott John W	N Hewitt and R A Burney	Dec'r 11 1841	133 00								
300	Oliver John	Wm Oliver and J Burrow	Sept'r 12 1845	393 00			393 00	June 14 1847	38 75	reduction		
301	Oliver John J	Jacob Sexton Jr and S Lewis	Sept'r 12 1847	198 37			198 37	Mar 27 1347				
302	Pace Gideon G	J P Wallace and B Hubbard	March 9 1842	198 00	198 00	9 March 1845						
303	Pleasant L C	Lewis Evans and C M McClellan	May 22 1842	1,000 00	1,000 00	May 22 1845						
304	Powell Henry	A S Miller and Wm P Matthews	March 6 1843	209 43	209 43	6 Mar 1846						
305	Patterson James P	John Howel and Littleberry Robinson	Aug. 6 1843	254 00	254 00	6 Aug. 1846	254 00	Dec 4 1849				
306	Patrick John W.	Joseph James and Wm Collier	Aug. 21 1842	221 00	221 00	21 Aug 1845						
307	Phillips Mason	Phileomon White and Obediah Kendrick	Oct'r 30, 1841,	80 00	80 00	30 Oct 1844						
308	Pleasants L C	W S Oldham and C H Washington	May 2 1840	459 00	459 00	May 2 1843						
309	same	Lewis Evans same	July 17 1840	434 00	434 00	July 17 1843						
310	Price William	Preston Price and Abr. Wood	March 6 1843	56 00	56 00	6 March 1846						680 0
311	Pelham William	(As security for J M Shepperd,)	March 3 1841	680 00								1,526 5
312	Pleasants L C	H E Campbell, W M Coats and C A Waller	Oct 9 1841	1,526 53			672 25	July 25 1847				
313	Payne Jeptha C	Jonathan Basham and Jasiah Cravens	Sept 9 1844	672 25			150 00	July 25 1847			150 00	
314	Phillips Mason	W D Quinton and Phileomon White	March 12 1842	150 00			400 00	July 25 1847			400 00	
315	Pace Gideon G	J W Dickson and Jos McKisick	Sept 9 1844	400 00			112 80	July 25 1747			112 80	
216	Pierson Jacob	James Pierson and B B Benge	Dec 27 1846	112 80			406 00	27 March 1848	244 50	20 June 1846	406 00	
317	Phelan Richard	Jacob Cartwright and M Hubbard	Oct'r 9 1844	406 00			37 00	27 March 1848	5 00	January 1845		
318	Pelham William	Thomas Stallcup and J C Shores	Jan'y 16 1845	37 00			1,872 00	29 March 1848	343 07	23 Jan 1845	1,872 00	
319	Pickett & Gregg	R C S Brown and John Drennen	March 11 1845	1,872 00			807 00	29 March 1848	440 93	1 July 1847	807 00	
320	Pitman James C	John M Tuttle and James M Tuttle	Sept 9 1844	807 00			711 00	10 Mar 1849	16 95			
321	Paschal Geo W	John B Ogden and Peter Hanger	April 15 1849	711 00			67 74	Dec 4 1849				
322	Putman William	Wm B Thomas and R Putman	Oct'r 21, 1849,	67 74			93 36	16 April 1849				
323	Putman William	same same	Oct'r 21, 1849,	93 36			90 31	16 April 1849				
324	Pierson John	John Holcomb	June 26th 1849	90 31								
325	Phelan Richard				36 00	15 March 1846						
326	Quinn Charles	Wm Graham and Levi Graham	March 15 1843	36 00								360 0
327	Quinton W D	Thos McGarrah and H White	March 12 1843	360 00			100 00	27 Mar 1848				
328	Roane John S	Jonas M Tebbetts and S G Sneed	May 8 1846	100 00	180 76	3 Sept 1845						
329	Reeves Terrill	John Reeves and Gaston Reeves	Sept 3 1842	180 76			50 00	June 14 1847				
330	Rèeves Drury	David P Walker and J Wheat	Sept 18 1844	50 00	159 50	9 Oct 1847						
321	Richard Levi	E W McClure and M Wright	Oct 1 1844	159 50			1,775 00	14 Juue 1847				
333	Routh Kenzie	J Routh and J L Lillard	March 12 1843	1,775 00			100 00	14 June 1847				
333	Rutherford Joseph	Moses Stout and Robt Rutherford	Oct 3 1844	100 00			96 00	14 June 1847				
334	Rutherford Robert	same A Rutherford	Sept 30 1844	96 00	361 00	July 20 1843						
335	Rector Wharton	Elias Rector and John Rogers	Ju 20 1840	361 00	2,810 00	29 Sept 1842						
336	same	same David Thompson	Sept 20 1839	2,810 00								
337	Russell A C	Wm Russell and W G Jenkins	Sept 29 1841	500 00								500 0
338	Robinson Littleberry	Thos G Robinson and E E McConnell	March 1 1842	341 50								341 5
339	Robinson Thos G	(Note not registered)	March 3 1844	175 15								175 1
340	Rhea Pleasant V	John Miller and T W Gordon	March 12 1842	451 00			451 00	13 July 1847	222 00	Oct 12 1846		
341	Russell Wm	W H Russell and A C Russell	Nov'r 24 1841	152 00			152 00	25 July 1847				
342	Rector Elias	Mortgage	Oct 3 1845	2,669 67			2,669 67	27 March 1848			2,669 67	
343	same	same	Oct 3 1845	9,798 00			9,798 00	27 March 1848			9,798 00	

Continued.

Amount of notes on which judgment was recovered, by former attorney, for which J. M. Tebbetts has not receipted.	Amount of cash collected by J. M. Tebbetts, Bank Attorney.	Date of collection made by J. M. Tebbetts, Bank Attorney.	Amount of notes due, or partly due, the Bank, on 1st October, 1850.	Amount of interest due, 1st October, 1850.	Total amount of principal and interest due the Bank, 1st Oct. 1850.	Amount supposed to be Solvent.	Amount supposed to be doubtful.	Amount supposed to be insolvent	Amount supposed tobe already lost.	REMARKS BY THE RECEIVER.	
	$ 1,233 00	15 April 1850	$	$	$	$	$	$	$		227
	90 00	10 Jan. 1850	160 50		106 99	106 99					228
			9 50	5 04	14 54				14 54		229
			96 47		68 44	68 44					230
	360 00	22 Oct 1849									231
			85 00	51 45	136 45				136 45		232
			132 31	63 92	196 23				196 23	There is a credit of $20 on this note	233
			137 00	59 32	196 32				196 32		234
			37 00	25 65	62 65				62 65		235
	2,187 00	April 7 1849									236
	343 38	April 17 1849									237
	212 27	May 31 1849									238
1,50 00										This debt was compromised with L. Robinson, who paid into the Principal Bank $200 in specie, and give his note for $224 more. McConnell was utterly insolvent, nothing could be made by law.	239
			250 00	181 86	431 86				431 86		240
			4,508 00	3,101 50	7,609 50				7,609 50		241
	41 10	after 1 July ’50									242
			39 00	21 28	60 28			60 28			243
			48 00	26 18	74 18			74 18			244
			1,020 00	608 64	1,628 64		1,628 64			Taken to Supreme Court by defendants, and now pending.	245
			95 00		59 86	59 86					246
			1,235 00	836 56	2,071 56				2,071 56		247
			105 00		77 58		77 58				248
	236 75	Oct 6 1849.									249
			1,270 00	866 03	2,136 03				2,136 03		250
			45 00	30 90	75 90				75 90		251
			475 00	326 16	801 16				801 16		252
			86 00	51 00	137 00				137 00		253
			95 00	63 96	158 96				158 96		254
95 00			95 00	81 54	176 54			176 54			255
130 00			130 00	105 48	235 48		235 48				256
										This note was given for rent of race track. Mr. Tebbetts received $66 66, in specie, in full discharge of the note.	257
153 00			153 00	125 66	278 66			278 66			258
607 00			607 00	493 71	1,100 71			1,100 71			259
1,812 00			1,812 00	1,473 70	3,285 70			3,285 70			260
950 00			950 00	797 00	1,747 00			1,747 00		Morland is insolvent. Maddin and Sinclair are dead. If judgment was probated vs. Maddin’s estate, it is good; if not, it is lost.	261
605 00			605 00	519 29	1,124 29		1,124 29				262
472 38			455 76	337 58	793 34			793 34		As this note is not registered on the “Bill Book,” I cannot give the securities. The date may not be correct.	263
213 17	379 00	Aug. 6 1849								The payment was made by Maddin, I think, as he paid this amount to Tebbetts, and I cannot find where he owed anyon his own account.	264
253 00			253 00	191 43	444 43			444 43			265
389 00			389 00	259 33	648 33			648 33		The note on which this judgment was rendered is not registered on the “Bill Book.” I cannot give the securities, and the date may not be correct.	266
268 50			268 50	230 46	498 96		498 96				267
861 00	497 87	after 1 July ’50	950 00		892 28	892 28				New note for $950, taken by Receiver, due 12th Aug. 1851, now in the Principal Bank, and old note cancelled.	268
500 00			500 00	454 71	954 71		954 71			This is rendered doubtful by long standing. I know nothing of the Principal, but Col. Drennen is good. Hanger, I presume, was released by Bankruptcy.	269
972 00			972 00	922 14	1,894 14		1,894 14				270
	90 00	after 1 July ’50	80 00		38 00	38 00				This judgment was turned over to Gen’l Clarke as assets of the Bank, and appears to be due, but the note is cancelled on the books.	271
			29 00	16 00	45 00	45 00					272
	147 93	$72 50 Ap’l 6 ’49 75 43 after 1 July 1850.	121 83		34 50	34 50					273
			90 00	50 10	140 10	140 10					274
	332 06	after 1 July ’50									275
			131 00	78 97	209 97			209 97			276
	473 41	May 1849								$13 41 of the amount paid, was for cost.	277
	420 00	after 1 July ’50									278
			671 49		138 43	138 43					279
			100 00	16 36	116 36	116 36					280
	17 50		55 00		44 20	44 20					281
	589 40	17 April 1850	4,000 00	180 40	4,180 40	4,180 40					282
	20 87	6 April 1849									283
			152 00	81 06	233 06			233 06		Execution returned nulla bona.	284
			47 00	32 27	79 27				79 27		285
			69 00	45 08	114 08				114 08		286
	118 00	12 April 1850									287
361 0			361 00	282 50	643 50		643 50				288
	20 00		52 36	3 14	55 50	55 50					289
	62 50	Nov. 12 1849									290
	71 11	12 Nov 1849									291
	85 21	Feb’y 25, 1850,								There is some mistake in this note. Tebbetts receipted for a note for $91 21, and accounts for it at $79 21. The $85 21 collected, he says, is “in full.”	292
			135 00	87 25	222 20				222 20		293
			54 00	34 80	88 85				88 85		294
			170 00	19 44	189 44				189 44	There is a credit of $75 on this note, dated Sept. 6th, 1842.	295
			135 00	88 20	223 20				223 20		296
			1,064 45	656 12	1,720 57				1,720 57		297
133 0	33 58	May 24 1849,									298
			133 00	117 06	250 06	250 06				This note appears to have been renewed, but I cannot find where any money was paid, or what has become of the new note. Mr. Tebbetts says the whole note was paid to Mr. Pullian; if so I cannot find anything on the books to show it.	299
			354 25	114 80	469 05	469 05					300
	240 00	Oct’r 22 1849									301
			198 00	135 54	333 54				333 54		302
			1,000 00	668 42	1,668 42				1,668 42	Pleasants and Evans are Bankrupts.	303
			209 43	126 74	336 17				336 17		304
			254 00	145 30	399 30				399 30		305
			221 00	143 31	364 31				364 31		306
			80 00	57 07	137 07				137 07		307
			459 00	382 50	841 50				841 50		308
			434 00	344 20	778 20				778 20		309
			56 00	33 90	89 90				89 90		310
680 0			680 00	651 10	1,331 10			1,331 10			311
1,526 5			1,526 53	1,377 62	2,904 15			2,904 15			312
			672 25	323 94	996 19			996 19		Payne and Bassham are dead. Cravens was good, but may be insolvent now.	313
			150 00	128 20	278 20			278 20		Judgment in Benton county.	314
			400 00	242 30	642 30	642 30				Judgment in Benton county.	315
	264 15	April 1849	112 80	42 30	155 10			155 10		Fi. Fa. returned nulla bona,	316
											317
	2,041 67	April 15 1849	37 00	13 24	50 24		50 24			Judgment in Washington county.	318
											319
	120 00	April 23 1849	807 00		784 00	784 00				Judgment in Probate Court of Washington county.	320
	67 74	6 June 1849	711 00		641 00	641 00					321
											322
	90 31	6 April 1849								This note should not have been placed in the Attorney’s hands, as it was renewed. New note for $67 24, which is paid to Mr. Tebbetts.	323
	230 00	23 April 1850									324
										The $230 paid by Mr. Phelan, is in “part discharge” of a judgment, but on what note judgment was rendered, or the amount yet due, I cannot tell.	325
			36 00	21 72	57 72				57 72		326
360 0			360 00	271 80	631 80			631 80			327
			100 00	35 10	135 10	135 10				This note is now in the hands of D. W. Carroll, Esq., Attorney for the Principal Bank.	328
			180 76	116 70	297 46				297 46		329
			50 00	24 12	74 12	74 12				Mr. Tebbetts thinks this note was paid to Mr. Pulliam. If so, I can find nothing on the books to show it.	330
			159 50	76 86	236 36				236 36		331
			1,775 00	1,069 68	2,844 68				2,844 68	Non-residents and insolvent. Debt barred by Statute before it was placed in Tebbetts’ hands for collection.	332
			100 00	47 94	147 94		147 94				333
			96 00	46 08	142 08		142 08				334
			361 00	293 41	654 41				654 41		335
			2,810 00	1,812 33	4,622 33				4,622 33	This note is credited with $536 06, paid 20 May, 1841.	336
500 0			500 00	450 69	950 69		950 69				337
341 5	154 94	16 April 1850								The amount collected by Mr. Tebbetts, appears to be the balance due on this judgment,	338
175 1			175 15	115 13	290 28			290 28		Gone to Oregon, California, or some other “free soil” country.	339
			451 00	70 48	521 48				521 48	Statute of limitation plead successfully.	340
			152 00	111 28	263 28				263 28	This note was barred by Statute, in Nov. 1844, and is supposed to be lost, yet it may be paid.	341
			2,669 67	1,332 58	4,002 25			4,002 25			342
			9,789 00	4,890 84	14,679 84			14,679 84			343

[D]

	PRINCIPAL.	SECURITIES.	Notes, when due.	Amount of notes.	Amount of notes turned over to B'k Agent, by R. P. Pulliam, that were barred by Statute.	Date when bar attached.	Amount of notes placed in the hands of J. M. Tebbetts, Bank Attorney, for collection.	Date of J. M. Tebbetts' receipt for notes.	Amount credited on notes and judgments when placed in Tebbetts' hands for collection.	Date of credit on notes and judgments, when placed in Tebbetts' hands for collection.	Amount of notes on which Tebbetts obtained judgment in favor of the Bank.	Amount of notes on which judgm't was recovered by former Attorneys, and for which J. M. Tebbetts has not receipted.
344	Robinson J B	W W Dickson and J R Morrison,	12 March 1843	$ 171 00	$		$ 171 00	31 May 1848	$		$ 171 00	$
345	same	same same	18 March 1843	137 00			137 00	31 May 1848			137 00	
346	Robinson Edward	E E McConnell and J M Wilson,	9 Sept 1847	57 00			57 00	31 May 1848	33 00			
347	Roberts Robert M	V T Rogers and W H Pevey	1 March 1842	600 00	600 00	1 March 1845						
348	Raines James S	A B Anthony and L Brodie	9 July 1842	420 00	420 00	July, 1845,						
349	Reed John	John J Vanhoose, Jr. and J P Dickinson,	1 June 1848	97 00			97 00	16 April 1849				
350	Saunders L B	D Phillips and L Banks	9 Sept 1844	163 00			163 00	4 Dec. 1849,	63 22	Various.		
351	Stephens W C	Nothing in Bank to show the securities.	15 Feb 1844	164 00								164 00
352	Swearingin Samuel	same	6 March 1844	124 45								124 45
353	Stout Moses	same	15 March 1844	267 00								267 00
354	Stout J W	H W Simpson and Jos Stout	18 Oct 1844	259 00			259 00	4 Dec. 1849	10 00	21 Sept 1846		
355	Stout Joseph	J W Stout and R Harrell	18 Oct 1844	443 00			443 00	4 Dec. 1849				
356	Smithson B H	Mortgage	6 Jan 1845	550 40			550 40	16 April 1849				
357	Sanders George W	John Sanders and G W Phillips,	3 Feb 1849	345 83			345 83	16 April 1849				
358	Sneed Edward C	Seaborn G Sneed and Wm McGarrah,	3 March 1843	464 00	464 00	3 March 1846						
359	Sneed Seaborn G	Edw'd C Sneed and John B Costa	13 March 1843	2,919 00	2,919 00	13 March 1846						
360	Scott John R H	Robert W Jamison and John Logan	9 March 1849	87 50			87 59	16 April 1849				
361	Sexton Jacob	Samuel Cox	12 March 1848	50 00			50 00	16 April 1849	10 00	Sept 1848		
362	Skaggs Andrew	John T Arrington and Wm Hatfield	6 March 1843	219 56	219 56	6 March 1846						
363	Smoot Ira	Armistead Smoot and Sam'l Myers	15 April 1840	57 50	57 50	15 April 1843						
364	Sexton Milton	L Brodie	15 Sept 1844	403 20	403 20	15 Sept 1847						
365	Stirman James H	Mathew Leeper and M Thornberry	15 Jan 1846	1,400 00			1,400 00	16 April 1849	438 77			
366	Sweeny A W	John M Tuttle	10 March 1848	96 00			96 00	16 April 1849	20 28			
367	Stewart James D	James Hill and A B James	23 Oct 1844	57 00	57 00	23 Oct. 1847						
368	Safford John T	Richard P Pulliam and Chas F Town	12 Sept 1842	388 00	388 00	12 Sept. 1845						
369	Smith Henry B	Britain Smith and Cooper Wilmoth	23 Jan 1841	78 31	78 31	23 Jan. 1844						
370	Smith James W	Thos. Anderson and R D Anderson	27 March 1843	81 00	81 00	27 March 1846						
371	Smithson B H	Elias Rector and Wharton Rector	29 Sept 1840	2,000 00	2,000 00	29 Sept. 1843						
372	Shepperd J M	Campbell & Cureton, B H Smithson & McK. Ball.	22 Sept 1839.	1,000 00	1,000 00	22 Sept. 1842						
373	Smith Henry L	A B Greenwood	18 Sept 1844	679 06			679 06	14 June 1847	45 00	21 March 1845	679 06	
374	Skelton Ralph	J Miller, Jr. and A Conner	15 April 1845	22 00			226 00	14 June 1847			226 00	
375	Shaver Jacob	W Kizer and W J Shaver	9 Sept 1844	36 00			36 00	14 June 1847			36 00	
376	Simpson Joshua	John Ward and Augustus M Ward,	6 Sept 1843	168 00			168 00	13 July 1847	84 00	3 Oct 1844	168 00	
377	Sadler T P	A S Heck and J P Sadler	6 March 1847	206 66			206 66	13 July 1847				
378	Swaggerty John	Reese B Ward and W M Crawford	1 Oct 1844	680 00			680 00	25 July 1847			680 00	
379	Speagle Emanuel	Samuel Adams and E S Moffatt	17 Oct 1844	2,825 00			2,825 00	25 July 1847				
380	Sorrels James	Sam'l Smoot and John Carter	23 Sept 1844	306 00			306 00	25 July 1847			306 00	
381	Sinclair Abraham	Jeremiah Moreland and Sam'l Adams	3 March 1842	964 00			964 00	25 July 1847			964 00	
382	Smith James W	Tho's Anderson and R A Anderson	27 Nov 1841	90 00			90 00	25 July 1847	10 00	2 Oct 1842	90 00	
383	Stevens J B	Wm C Stevens and B Hawkins	9 Jan 1845	144 00			144 00	25 July 1847			144 00	
384	Smith Burton	J W Stout and James Thompson	18 May 1846	294 00			294 00	25 July 1847			294 00	
385	Skeen James H	John Skeen and H Samuels	9 March 1847	71 00			71 00	25 July 1847	41 66		71 00	
386	Stotts Hiram	Jas G McConnell and Ab. McConnell,	9 Oct 1847	33 03			33 03	25 July 1847				
387	Sawyers James M	S G Sneed and John Billingsly	9 Jan 1847	110 37			110 37	27 March 1848			110 37	
388	Son Abraham F	Richard Wright and David Trotter	12 March 1843	174 00			174 00	27 March 1848	100 00	24 1847	174 00	
389	Southerland Robert	Jas A Scott and Wash Duval	9 Dec 1845	222 57			222 57	27 March 1848	55	9 Dec 1845		
390	Stirman William	Samuel Alexander and Richard P Pulliam	11 Sept 1844	358 00			358 00	27 March 1848	104 56			
391	same	J H Stirman and T J Pollard	9 Sept 1844	407 00			407 00	31 May 1848	50 00	9 Sept 1844		
392	Shores W D	Wm Farmer and George Lewis	31 July 1844	63 93			63 93	31 May 1848	~~29 43~~			
393	Stelle John	S Stelle and Wm Mayfield	4 Oct 1847	536 00			536 00	31 May 1848			536 00	
394	Smith Presly R	R Pitman	15 April 1849	355 00			355 00	31 May 1848				
395	Tyson John W	John B Costa and B H Smithson	29 Dec 1841	46 00	46 00	29 Dec. 1844		4 Dec. 1849				
396	Turner S & G	David Hinds and Daniel Wilson	18 Oct 1844	198 18	198 18	18 Oct. 1847						
397	Thompson David	John Henry and John Gregg	22 Sept 1839	810 00	810 00	22 Sept. 1842						
398	same	same John Drennen,	9 Feb 1840	765 00	765 00	9 Feb. 1843						
399	same	Elias Rector, Wash Duval and W McK. Ball	4 July 1839	1,000 00	1,000 00	4 July 1842						
400	Tibbs William	Obadiah Kendrick and Jas White	12 March 1843	70 00	70 00	12 March 1846						
401	Trammell Dennis	S G Sneed and Armistead Smoot,	22 Jan 1840	85 00	85 00	22 Jan. 1843						
402	Tuttle James M	W D Cunningham and O Evans	6 Oct 1844	952 00			552 00				952 00	
403	Turman James W.	Bright Turman and John R Turman,	6 Sept 1844	23 64			23 64	27 July 1847			23 64	
404	Tebbetts Jonas M	John B Costa and W D Reagan	13 Feb 1848	513 83			513 83	14 June 1847				
405	Thornbury Walter	D C Brickey and W T Thornberry	18 March 1843	44 00			44 00	16 April 1849				
406	Thomas Lucy	Nothing to show who they are	20 Nov'r 1844	400 00				13 July 1847	5 00	17 May 1845		
407	Venters Jesse	Wm Graham and A Graham,	6 Macrh 1843	135 00			135 00					
408	Vernon Isaac B	G Trammell and Jno Enyert	18 Oct 1845	90 00			90 00	14 June 1847	10 00	30 Jan 1845	90 00	
409	Vanhoose John, Jr.	Jas P Dickson and J J Vanhoose	18 Oct 1848	50 00			50 00	13 July 1847				
410	Vanhoose John							16 April 1849			313 00	
411	Ware James	Jas Moore, H Cureton and John Ware	12 Dec 1841	245 00								245 00
412	Webber G E	Not on the Books	9 March 1844	322 61								321 61
413	Whitehead William,	Clement Mobley and A Morton	3 June 1841	284 00								281 00
414	White James	Wm Tibbs and O Kendrick	6 March 1842	123 00								123 00
415	Wilson Green	Samuel Wilson and A M Wilson	9 March 1847	131 66			131 66				131 66	
416	Woolsey Samuel	Josiah Trent and William J Wilson	9 Feb'y 1849	15 45			15 45	16 April 1849				
417	Walker John J	James F Quail and S W Jester	29 Sept 1846	357 00			357 06	16 April 1849				
418	Wilson John M	A M Wilson	3 Sept 1847	157 48			157 48	16 April 1849	172 00			
419	Wilcox Henry		15 Aug 1849	313 20			313 20	16 April 1849				
420	Wright Maurice	J B Russell and John Jewis	9 Nov 1844	3,373 94			3,373 94	16 April 1849				
421	Wilson John W	Henry S Wilson	20 Nov 1849	2,270 18			2,270 18	16 April 1849	1,290 75	Various		
422	Wood Abraham	Wm Price and Wm Kizer	15 March 1845	306 00			306 00	4 Dec 1849				
423	Wilson Alfred M	Richard P Pulliam	28 Sept 1849	456 62			456 62	4 Dec 1849				
424	Wallace Willis S	L H Wallace and O Evans	6 Aug 1842	1,309 75	1,309 75	6 Aug. 1845		4 Dec 1849				
425	Williams John H	Henry Williams and W Mankins	6 March 1843	65 00	65 00	6 March 1846						
426	Williams Ruth	Sherwood Williams and B Spear	6 Feb 1843	41 00	41 00	6 Feb. 1846						
427	Walthrop James	A Oxford and B H Oxford	15 March 1843	35 00	35 00	15 March 1846						
428	Withrow Richard	Joshua Boren, P M Phillips and B Tittsworth	6 May 1843	128 00								128 00
429	White Carroll	O Kendrick and Jas White	9 Feb'y 1843	117 00	117 00	9 Feb. 1846			85 00	1 April 1847		
430	White Sherwood	John Wilson and R Carness	16 March 1843	68 00	68 00	16 March 1846						
431	White James	O Kendrick and Wm Tibbs	24 Nov 2841	50 00	50 00	24 Nov. 1844						
432	Wright Warren	James H Wright and T M Duckworth	9 March 1842	76 00	76 00	9 March 1845						
433	Webb Isaac	S Strickland and Jos Miller Jr	18 April 1843	227 00	227 00	18 April 1846						
434	Wolf Andrew D	Joshua Simpson and A M Ward	15 April 1843	96 50	96 50	15 April 1846						
435	Wilson Henry	Z Moulden and T M Williford	13 March 1845	66 00			66 00	14 July 1847			66 00	
436	William John E	Hardy Kelly and Wm Cardin	12 Sept 1844	323 31			323 31	13 July 1847	40 00	25 Sept'r 1846	323 31	
437	Wayland Francis	James Murray and Dan'l Berfoot	4 Sept 1843	39 00			39 00	13 July 1847			39 00	
438	Wooddy William B	Abraham Whinnery and W B Fullerton	9 June 1842	87 39			87 39	13 July 1847	33 33	6 April 1845	87 39	
439	same	Abraham Whinnery and M S Wooddy	9 Aug 1842	754 00			754 00	13 July 1847	83 83	6 April 1845		
440	same	Abraham Whinnery and A B Greenwood	15 Sept 1842	722 00			722 00	13 July 1847	83 83	6 April 1845		
441	Whinnery Z M	Abraham Whinnery and John Gailbreath	9 Oct 1846	31 00			631 00	13 July 1847			31 00	
442	Ward John C	R B Ward and A M Ward	6 Sept 1844	153 62			153 62	25 July 1847				
443	Waldren Solomon	John Waldren and John Matlock	15 Sept 1844	244 00			244 00	25 July 1847			244 00	
444	Wilson Daniel	T C Boyer and H Fleman	3 Sept 1844	180 00			180 00	25 July 1817			180 00	
445	Wilson Washington L	John Wilson and C M McClelland	12 Dec 1844	4,303 30			4,433 30	25 July 1847			4,433 30	
446	Walker David P	J M Hawkins and Wm Hawkins	12 March 1843	109 00			109 09	25 July 1847	15 00	28 Dec 1846		
447	Whinnery Abraham	Z M Whinnery and Jos McKisick	18 Sept 1846	294 00			294 00	27 March 1848				
448	Washington C H	Jacob Cartwright and C W Dean	29 Sept 1844	45 00			45 00	27 March 1848	30 00	4 May 1847	45 00	
449	Wisener T D	J H Stirman and T J Pollard	6 Aug 1844	62 67			62 67	31 May 1848	6 06	6 Aug. 1845		
450	Willbanks William	John Pierson and John Holcomb	1 March 1849	12 00			12 00	31 May 1848	2 25			
451	Webster John B	A H McKisick and Jas B Simpson	28 Aug 1841	685 00					358 50	5 Aug. 1847		685 00
452	Yates Thomas L	D P Collins and Moses Kehoe	1 March 1842	190 00								190 00
453	Yell Archibald											
				$190,303 34	$50,946 11		$108,442 10		$11,375 11		$31,738 15	$31,738 15

RECEIVER'S OFFICE,
State Bank,
Little Rock, Oct. 1st, 1850.

	Amount of notes on which judgm't was recovered by former Attorneys, and for which J. M. Tebbetts has not receipted.	Amount of cash collected by J. M. Tebbetts, Bank Attorney.	Date of collection made by J. M. Tebbetts, Bank Attorney.	Amount of notes due, or partly due the Bank, on 1st October, 1850.	Amount of interest due 1st October, 1850.	Total amount of principal and interest due the Bank, 1st October, 1850	Amount supposed to be Solvent.	Amount supposed to be doubtful.	Amount supposed to be Insolvent.	Amount supposed to be already lost.	REMARKS BY THE RECEIVER.	
00	$	$		$ 171 00	129 00	$ 300 00	$	$	$ 300 00	$		344
00				137 00	103 56	240 25			240 25			345
				57 00		29 88	29 88					346
				600 00	412 00	1,012 00				1,012 00		347
				420 00	276 30	696 30				696 30		348
		112 83	Various.									349
		50 00		163 00		119 00	119 00					359
	164 00	41 25	25 Sept 1849								The forty-one dollars and twenty-five cents paid to Mr. Tebbetts, is the balance due on this judgment.	351
	124 45			124 45	81 69	206 14		206 14				352
	267 00			267 00	174 66	441 66		441 66				353
				259 00	115 00	374 00	374 00					354
				443 00	213 84	656 84	656 84					355
				550 40	250 22	800 62	800 62					356
		368 88	5 Oct 1849									357
				464 00	281 18	745 18				745 18		358
				2,919 00	1,771 40	4,690 40				4,690 40		359
				87 59	10 90	98 49	98 49					360
		47 15	10 Nov 1849									361
				219 56	132 87	352 43				352 43		362
				57 50	48 12	105 62				105 62		363
				403 20	99 90	503 10				503 10	Sixty-four dollars credited on this note, 25th November, 1844.	364
		125 00	19 April 1849	1,400 00		1,312 42	1,312 42					365
				96 00		91 17			91 17			366
				57 00	27 06	84 06				84 06		367
				388 00	249 81	637 81				637 81		368
				78 31	60 25	138 56				138 56		369
				81 00	48 60	129 60				129 60		370
				2,000 00	1,600 44	3,600 44				3,600 44	This is a Bill of Exchange, drawn by Smithson on E. Rector, and accepted by him and endorsed by W. Rector.	371
				1,000 00	881 76	1,881 76				1,881 76	This is a Bill of Exchange, drawn by Sheppard, accepted by Campbell & Cureton, & endorsed by Smithson & McK, Ball.	372
06		400 00		679 06		632 00	632 00					373
00				226 00	123 36	349 36			349 36		Gone to Texas, and insolvent.	374
00				36 00	21 00	57 00	57 00				Collected and in the hands of a Constable.	375
00				168 00		163 18			163 18			376
				206 66		197 00	197 00				This note is now in the Principal Bank. On the 6th April, 1850, Mr. Sadler paid $70 00 to the Receiver at Little Rock	377
00		961 32	30 Oct 1849								[as part payment.	378
				2,825 00	1,344 84	4,169 84			4,169 84		Suit pending. If judgment is recovered, nothing can be made.	379
00		472 39	after 1 July '50.									380
00				964 00	826 63	1,790 63			1,790 63		Sinclair and Adams are dead, and Moreland is insolvent,	381
00				90 00	69 50	159 50		159 50			Judgment in Franklin county.	382
00				144 00	82 40	226 40	226 40					383
00		341 25	Various,									384
00				71 00		39 76	39 76					385
		39 08	24 Aug 1849									386
37		133 46	6 April 1849									387
00		181 00	8 April 1850									388
				222 57	84 85	307 42	307 42				Suit pending.	389
		180 00		358 00		231 42	231 42					390
				407 00	122 91	529 91	529 91					391
		49 30	Various,									392
00		644 66	17 Oct 1849									393
		395 20		46 00	32 20	78 20				78 20		394
				198 18		71 28				71 28	This Note is credited with $150.	395
				810 00	714 24	1,524 24				1,524 24	Thompson is dead. Securities good. Debt lost by negligence of Bank officers.	396
				765 00	649 32	1,414 23				1,414 23	Thompson is dead. Securities released on plea of non est factum.	397
				1,000 00	912 01	1,912 01				1,912 01	This is a Bill of Exchange, drawn by Thompson, accepted by Elias Rector, and endorsed by Duval and McK. Ball.	398
				70 00	42 24	112 24				112 24		399
				85 00	72 52	157 52				157 52	This note is cancelled on the "Bill Book" and may have been paid. It was turned over to Gen. Clarke as assets.	400
		1,324 99	$285 Sep 11 '49,	952 00		173 00	173 00					401
00				23 64	14 32	37 96			37 96			402
64		573 83	13 April 1849									403
				44 00	21 52	65 52		65 52				404
		450 00	27 Aug 1849								This note was not receipted for by Mr. Tebbetts. The payment was made by Mr. Pulliam, and may be full. I cannot tell.	405
				13e 00	71 72	206 72		206 72			Mr. Tebbetts thinks this note was paid in 1847. There is nothing on the books to show it, if it was.	406
				90 00	35 65	125 65	125 65					407
00		57 55										408
		412 45	Various									409
00		456 00	22 Oct 1849									410
	245 00			322 61	211 37	533 98		533 98			This note is not registered on the "Bill Book," and may not be dated correctly in this Report.	411
	321 61			284 00	264 85	548 85			548 85			412
	281 00			123 00	104 85	227 85			227 85			413
	123 00			131 66	47 75	179 41	179 41					414
66		15 95	7 June 1849									415
		244 26	Various									416
		100 00	5 Sept 1849	157 48		89 27	89 27					417
		313 20	3 July 1849									418
		1,118 79	20 Sept 1849	3,373 94		2,339 70	2,339 70					419
		1,414 58	15 April 1850	2,270 18		961 50	961 50					420
				306 00	135 66	441 66		441 66				421
		150 00		456 62		340 15	340 15					422
				1,309 75	862 68	2,172 43				2,172 43		423
				65 00	39 36	104 36				104 36		424
				41 00	25 20	66 20				66 20		425
				35 00	21 11	56 11				56 11		426
		110 00	20 May 1850	128 00		15 60	15 60				This amount was paid by Joshua Boren.	427
	128 00			117 00	72 28	189 28				189 28		428
				68 00	41 00	109 00				109 00		429
				50 00	35 37	85 37				85 37		430
				76 00	52 02	128 02				128 02		431
				227 00	135 60	362 60				362 60		432
				96 50	57 58	154 08				154 08		433
6 00				66 00	36 58	102 58			102 58		Fi. Fa. returned nulla bona.	434
3 31		302 24	25 Sept 1849								There is a mistake in this note some way. Tebbetts receipted for note as described in this inventory, but reports it in	435
9 00				39 00	27 58	66 58			66 58		his list of collections at $224 31, and the $302 24 paid him, as being in full.	436
7 39				87 39	34 63	122 02			122 02			437
				754 00	530 03	1,284 03				1,284 03	On 20th April, 1849 judgment was rendered against the Bank, on both of these notes, by the Circuit Court of	438
				722 00	496 77	1,218 77				1,218 77	Washington county on the plea of the "statute of limitations." Appeal to the Supreme Court and judgment affirm-	439
1 00		30 00		31 00		13 00	13 00				ed. See English's Reports, Vol. 5, pages 638 to 645.	440
				153 62	93 18	246 80				246 80	See English's Supreme Court Reports, Vol. 3, page 506.	441
4 00				244 00	147 41	391 41			391 41			442
0 00				180 00	109 35	289 35			289 35			443
3 30				4,433 30	2,577 18	7,010 48			7,010 48			444
		151 57	10 May 1850									445
		372 62	6 July 1849									446
5 00				45 00		36 22	36 22					447
				62 67	24 50	87 17	87 17					448
		11 05	6 April 1849									449
	685 00			685 00	264 08	949 08	949 08				The $358 50 credited on this judgm't was paid by Ja's B. Simpson, the security, who is solvent and will pay bal. due.	450
	190 00			190 00	163 08	353 08			353 08			451
											This amount was collected on a "judgment in the Probate Court, against the estate of A. Yell." I can find no ac-	452
		165 00	10 May 1849								count of the note on which judgment was rendered. The amount was "in part discharge." I have no means of ascertaining the balance due.	453
8 15	$31,738 15	$53,074 47		$152,663 91	$77,120 77	$221,619 19	$35,242 68	$22,238 52	$68,762 18	$95,374 81		

JOHN M. ROSS,
Financial Receiver

E.

A Table, exhibiting the Cash collected at the Bank of the State of Arkansas, from the 6th day of April, 1849, to the 1st day of October, 1850; the Arkansas State Bank paper registered and burned, and the Bo cancelled and filed with the State Treasurer, during the same time; and the Cash on hand, 1st October, 1850.

Date.	Dr.	Amounts.	Total Amounts.
April 17, 1849.	To Cash received from A. E. Thornton, late receiver: 101 Real Estate Bank bonds, of 1,000 each,	$ 101,000 00	$
	Interest on same, up to 1st April,	45,255 00	
	9 *State Bank Bonds*, of $1,000 each,	9,000 00	
	Interest calculated on same, by Thornton, to 1st January, 1849,	3,100 00	
	7 five per cent. State Bank bonds, returned by Col. Johnson,	7,000 00	
	42 cupons, taken from State Bank bonds, $30 each,	1,260 00	
	22 cupons, taken from R. E. Bank bonds, $30 each,	660 00	
	State Bank and Branch Bank paper,	12,900 00	
	Real Estate Bank paper,	1,080 00	
	Uncurrent money,	1,050 00	
	Specie,	16 48	182,321 48
July 2d, 1849,	Cash received from M. J. Dorriss, executrix, of M. W. Dorriss, attorney for the Arkansas Branch, on account of collections	15,235 00	
Sept. 7th 1849,	Cash received from Gen. G. W. Clarke, Bank Agent, being the amount paid by him to the credit of the Arkansas Branch	360 00	
Aug. 1 1849,	Cash paid by Hon. D. Maxwell, on note due by him to the Arkansas Branch,	85 54	
May 20 1850,	Cash paid by Tho. N. Byers, Esq. attorney for the Arkansas Branch, on account of collections made by him,	7,328 37	
May 22 1850.	Cash paid by Col. James Smith, on account of defalcation due by James M. Smith, late receiver of the Arkansas Branch Bank,	597 43	
Sept. 1850,	Cash paid by Tho. N. Byers, Esq. attorney for the Arkansas Branch, on account of collections made by him,	8,426 23	
Sept. 1850,	Cash deposited by Alexander Reese, to the credit of the Arkansas Branch, for which I gave him a certificate,	100 00	32,132 57
Dec. 6 1849,	Cash received from W. C. Bevens, Esq. attorney for the Batesville Branch,	670 00	
Jan. 7th 1850,	Cash received from W. C. Bevens, Esq. attorney for the Batesville Branch,	1,510 00	
Jan 23d 1850,	Cash received from W. C. Bevens, attorney for the Batesville Branch,	847 00	
May 30, 1850,	Cash received from W. C. Bevens, Esq. attorney for the Batesville Branch,	255 00	
July 1850,	Cash received from Tho. S. Carter, on note due the Batesville Branch,	150 00	
Aug, 1850,	Cash received from Jno. Ringgold, on account of note due Batesville Branch, by Jane Gill, et al.	70 00	
Aug. 1850,	Cash received from W. C. Bevens, Esq. attorney for the Batesville Branch,	10 00	
Aug. 1850,	Counterfeit and uncurrent money paid by bank agent, on account of the Batesville Branch,	239 75	3,751 75
June 6th 1 849,	Cash received from the Sheriff of Arkansas county, on account of the Fayetteville Branch,	13 40	
June 7, 1849,	Cash deposited by Wm. Johnson, to the credit of the Fayetteville Branch,	990 00	
June 9, 1849,	Cash deposited by M. W. Dorriss, Esq. to the credit of the Fayetteville Branch,	460 00	
Aug. 9, 1849,	Cash paid by Gen'l G. W. Clarke, bank agent, to the credit of the Fayetteville Branch,	20,862 50	
Aug. 13, 1849,	Cash paid by A. E. Thornton, as part of his defalcation,	4,853 64	
Aug. 15, 1849,	Cash paid by J. M. Tebbetts, attorney for the Fayetteville Branch, on account of collections,	13,363 94	
Aug. 21, 1849,	Cash paid by Rev. John F. King, on account of note due by him to the Fayetteville Branch,	77 50	
Sept. 6, 1849,	Cash paid by Gen'l G. W. Clarke, Bank Agent, to the credit of the Fayetteville Branch,	50 00	
Sept. 13, 1849,	Cash deposited by James Hamilton, to the credit of the Fayetteville Branch,	100 00	
Sept. 21, 1849,	Cash paid by A. E. Thornton, as part of his defalcation,	4,076 84	
Nov. 30, 1849,	Cash deposited by J. B. Brown. to the credit of the Fayetteville Branch,	150 00	
Dec. 1, 1849,	Cash paid by J. M. Tebbetts, Esq. attorney for the Fayetteville Branch,	16,806 64	
April 30, 1850,	Cash paid by J. M. Tebbetts, Esq. attorney for the Fayetteville Branch,	1,365 49	
May 11, 1850,	Cash paid by J. M. Tebbetts, Esq. attorney for the Fayetteville Branch,	3,015 00	
April 6, 1850,	Cash paid by Hon. T. P. Sadler, on note due the Fayetteville Branch,	70 00	
June 12, 1850,	Cash deposited by S. J. Howel, Esq. to the credit of the Fayetteville Branch,	185 00	
Sept. 1850,	Cash deposited to the credit of the Fayetteville Branch, by L. Robinson,	132 00	
Sept. 1850,	Cash deposited to the credit of the Fayetteville Branch, by Geo. McKinney,	497 86	
Sept. 1850,	Cash deposited to the credit of the Fayetteville Branch, by M. Rose,	172 00	
Aug. 1849,	Little Rock and other worthless change tickets. received from Gen'l Geo. W. Clarke, bank agent, on account of the Fayetteville Branch,	1,410 00	68,651 81
June 18, 1849,	Cash paid by A. E. Thornton, on account of his defalcation to the Principal Bank.	4,014 00	
Sept. 12, 1849,	Interest received on R. E. bond, No. 608, in exchanging it with Col. Newton for State Bank paper, in making payment to him for H. Blevins,	2 00	
Sept. 21, 1849,	Cash paid by A. E. Thornton, as part of his defalcation to Principal Bank,	1,053 55	
April 24, 1850,	Cash deposited by Luther Chase, Esq.	1,499 15	
May 22, 1850,	Cash deposited by Col. James Smith,	726 23	
Oct. 1st, 1850,	Cash collected at the Principal Bank on bills and notes, by the attorney and receiver, from the 6th April, 1849, to the 1st October, 1850.	51,948 36	59,243 29
Oct. 1, 1850,	Interest on 101 Real Estate Bank bonds, (received from A. E. Thornton, late receiver,) from the 1st April, 1849, (up to which time he calculated the interest, to 1st October, 1850.	9,090 00	
Oct. 1850,	Interest on 42 Real Estate Bank bonds collected by me in Bank, from the time they were paid in the Bank, to the 1st October, 1850,	2,173 08	11,263 08
			$357,363 98

Date.	Cr.	Amounts.	Total Am
April 17, 1849,	By 8 five per cent. bonds, received from A. E. Thornton, late receiver, cancelled and filed with Sam'l Adams, Esq. treasurer, of 1,000 each.	$ 8,000 00	
April 17, 1849,	Interest on same, calculated by Thornton, to 1st January, 1849,	2,800 00	
April 17, 1849,	1 six per cent. bond, cancelled and filed with S. Adams, treasurer,	1,000 00	
	Interest calculated on same, by Thornton, to 1st January, 1849,	300 00	
April 17, 1849,	7 five per cent. bonds, received from A. E. Thornton, late receiver, being those returned to the B'k, by Col. R.M.Johnson	7,000 00	
April 17, 1849,	42 cupons, taken from State Bank bonds, paid me by A. E. Thornton, late receiver, $30 each, as per receipt No. 1	1,260 00	
May 30, 1849,	1 six per cent. bond, cancelled and filed with Sam'l Adams, treasurer, as per receipt No. 2,	1,445 00	
June 18, 1849,	2 six per cent. bonds, cancelled and filed with Sam'l Adams, treasurer, as per receipt No, 3,	2,566 00	
July 2, 1849,	1 six per cent. bond, cancelled and filed with Sam' Adams, treasurer, as per receipt No. 4,	1,450 00	
July 10, 1849,	1 six per cent. bond, cancelled and filed with Sam'l Adams, treasurer, as per receipt No. 5,	1,480 00	
August 15, 1849	1 five and 1 six per cent. bond cancelled and filed with Sam'l Adams, treasurer, as per receipt No. 6,	2,605 00	
August 15, 1849	1 six and 6 five per cent. bonds, cancelled and filed with Sam'l Adams, treasurer, as per receipt No. 7,	9,618 94	
Nov. 23, 1849,	5 six per cent. bonds, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 8,	7,325 00	
Dec. 31, 1849,	1 five and 3 six per cent. bonds, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 9,	5,827 84	
Jan. 10, 1850,	1 six per cent. bond, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 10,	1,437 50	
Jan. 22, 1850,	2 five and 1 six per cent. bonds, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 11,	4,284 39	
Feb. 7, 1850,	7 five per cent. bonds, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 12,	9.816 00	
March 7, 1850,	1 five and 1 six per cent. bond, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 13,	2,899 83	
April 1, 1850,	5 five per cent. bonds cancelled and filed with Wm. Adams, treasurer, as per receipt No. 14,	7,009 70	
May 11, 1850,	2 six per cent. bonds, cancelled and filed with Wm Adams, treasurer, as per receipt No. 15,	3,020 00	
May 29, 1850,	2 five and 1 six per cent. bond, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 16,	4,148 83	
June 21, 1850,	3 six per cent. bonds and 3 cupons, cancelled and filed with Wm. Adams, treasurer, as per receipt No. 17,	4,684 97	89,9
May 1, 1849,	State Bank and Branch paper, registered and burnt by "the treasurer and receiver,"	13,890 00	
June 1, 1849,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	560 00	
June 30, 1849,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	2,280 00	
July 30, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	270 00	
Aug. 31, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	6,340 00	
Sept. 28, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	4,460 00	
Dec. 31, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	4,200 00	
May 30, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	1,325 00	
July 1, 1850,	State Bank and Branch paper, registered and burnt by the treasurer and receiver,	325 00	33,6
April 17, 1849,	Specie, paid me by Thornton, taken from "Cash Accounts," and carried to "Specie Account,"	16 48	
June 18, 1849	R. E. paper paid Thornton to correct error in his cash account,	25 00	
Aug. 9, 1849,	Cash paid A. J. Hutt, Esq., late Sheriff of Pulaski county, fee bill,	38 50	
Aug. 7, 1850,	Cash paid Wm. Crockett, on receipt given to Green B. Hughes,	45 00	1
Dec. 3, 1849,	Cash paid J. M. Tebbetts, to redeem 2 certificates of deposit given him by A. E. Thornton, late receiver,	5.680 00	
Dec. 28, 1849,	Cash paid Wm E Woodruff, to redeem certificate of deposit given to P H Hefley, by the cashier of the Batesville Branch, on the 26th day of April, 1842,	133 33	
March 5, 1850,	Cash paid F. W. Trapnall, Esq., to redeem certificate of deposit given by W. C. Bevens to Williams & Moore, on 1st January, 1850.	770 96	
Sept. 3, 1850,	Cash paid Thos N Byers, Esq., for Jno L Jones, to redeem certificate of deposit given to Col. James Smith, on the 22d May, 1850,	726 23	7.3
April 27, 1850,	Luther Chase's draft paid J J Clendenin, Esq.	251 80	
April 30, 1850,	Luther Chase's draft paid James M Danley,	500 00	
May 2, 1850,	Luther Chase's draft paid A J Hutt,	400 00	
May 3, 1850,	Luther Chase's draft paid John Perciful,	150 00	
May 16, 1850,	Luther Chase's draft paid Hon Daniel Ringo,	100 00	
July 22, 1850,	Luther Chase's draft paid to bearer,	97 00	1,
May 16, 1850,	Real Estate Bank paper levied on, sold by the Sheriff of Pulaski county, to satisfy certain executions in favor of Jas. M Curran,		
Oct. 1, 1850,	Cash on hand this day, to wit: 143 Real Estate Bank bonds, of $1,000 each,	143,000 00	
	Interest due on same, on 1st October, 1850,	76,905 00	
	Arkansas State Bank branch paper, to pay 2 certificates of deposit,	126 20	
	Arkansas State Bank branch paper, to register and burn,	783 80	
	Uncurrent money received from A E Thornton, late receiver,	1,050 00	
	Little Rock, and other worthless change tickets, received from Fayetteville,	1,410 00	
	Counterfeit U S Bank, and other worthless paper, received from Batesville,	239 75	
	19 cupons taken from Real Estate bonds, paid me by Thornton,	570 00	
	Real Estate Bank paper on hand,	25 93	224,
			$357

RECEIVER'S OFFICE, STATE BANK,
LITTLE ROCK,
October 1st, 1850.

JOHN. M. ROSS,
Financial Receiv

F.

A TABLE, exhibiting the LIABILITIES and RESOURCES of the BANK OF THE STATE OF ARKANSAS, on the 1st day of October, 1850.

LIABILITIES.

1	16 *five per cent.* Bonds of the 146 sold to the Secretary of War, outstanding 1st October, 1850, of $1,000 each.	$16,000 00	
	Interest due on same, from the 1st January, 1842, to the 1st day of October, 1850	7,000 00	23,000 00
2	23 *five per cent.* Bonds, of the 30 sold to Col. R. M. Johnson, outstanding, 1st October, 1850	23,000 00	
	Interest due on same, from the 1st January, 1842, to the 1st October, 1850,	10,062 50	33,062 50
3	936 *six per cent.* Bonds, outstanding on 1st October, 1850, of the 1,000, sold in New York and London	936,000 00	
	Interest due on same, from the 1st January, 1842, to the 1st October, 1850, $519,480 Deduct interest paid on 1st July, 1842 $4,980	514,500 00	$1,450,500 00
4	Arkansas Bank and Branch Bank paper unredeemed on the 1st October, 1850,		50,087 50
			$1,556,650 00

RESOURCES.

1	101 *Real Estate Bank Bonds,* turned over to me, by A. E. Thornton, late Receiver, of $1,000 each,	$101,000 00	
	Interest calculated by Thornton, to 1st April, 1849,	45,255 00	
	Interest that has accumulated since 1st April, 1849.	9,090 00	$155,345 00
2	42 *Real Estate Bank Bonds.* paid into Bank, since the 6th of April 1849, of $1,000 each,	42,000 00	
	Interest paid on same, when received in Bank,	20,386 92	
	Interest that has accumulated since they were paid into Bank, and up to 1st October, 1850,	2,173 08	64,560 00
3	19 *Coupons.* of the 22 patd me by A. E. Thornton, late Receiver, taken from Real Estate Bank Bonds, $30 each,	570 00	
4	*Mississippi* and other *uncurrent money,* paid over to me, by A. E. Thornton, late Receiver,	1,050 00	
5	*Little Rock* and other *Change Tickets,* returned by Gen. Geo. W. Clarke, Bank Agent, from the *Fayetteville Branch,*	1,410 00	
6	*Counterfeit U. S. Bank* and other uncurrent notes, returned by Gen. Geo. W. Clarke, Bank Agent, from the *Batesville Branch,*	239 75	3,269 75
7	Certificate of deposit given by Receiver, on 12th October, 1843, to S. & G. Turner,	150 00	
8	*Cash* collected by D. W. Carroll, Esq., Attorney for the Principal Bank, before the 1st July, 1850, and retained by him in payment of his fees for collections made as Attorney,	3,753 08	
9	*Cash* collected by J. M. Tebbetts, Esq., Attorney for the Branch of the State Bank at Fayetteville, from the 1st January, to 1st July, 1850, yet remaining in his hands,	9,017 28	
10	*Cash* collected by M. W. Dorriss, Esq., late Attorney for the *State Bank, at Arkansas Post,* and not yet paid into Bank. (The Executors, or Administrators of the estate of M. W. Dorriss, dec'd, have filed in Bank, papers on which they claim a credit on this amount, of some $12,000 or $14,000,)	37,346 30	
11	*Cash* collected by George W. Clarke, Esq., Bank Agent, yet remaining in his hands,	2,758 82	
12	Amount of E. L. Johnson's defalcation, as Bank Attorney, for which suit is now pending,	2,721 09	
13	*Cash* due the Bank by A. E. Thornton, and for which suit is now pending against his securities, (being a balance due on a defalcation, as Receiver, of $20,188 89,)	6,191 85	61,938 42
14	Bills and Notes, and interest on same, to 1st Oct., 1850, due the Pprincipal Bank and Branches, as exhibited in Tables A B C & D: Solvent,	267,186 81	
	Doubtful,	241,404 52	
	Insolvent,	276,664 46	
	Lost,	296,304 38	1,081.560 17
15	Notes on hand, payable in specie,	674 00	
16	Real Estate Bank paper on hand,	25 93	699 93
17	Deficit—Liabilities over Assets,		189,276 73
			$1,556,650 00

RECEIVERS OFFICE, STATE BANK,
October, 1st 1850.

JOHN M. ROSS,
Financial Receiver.

G.

A TABLE, exhibiting the amount of Specie received at the Bank of the State of Arkansas, from the 6th April, 1849, to the 1st October, 1850, and the amount paid out by the Receiver, during the same time.

DATE.	RECEIPTS.		
April 17, 1849,	To amount received from E. E. Thornton, late Receiver,	$ 16 48	
April 28, 1849,	To amount received from L. Robinson, on a compromise of a note due the Fayetteville Branch, by E. B. McConnell,	200 00	
June 6, 1849,	To amount of cost paid by the Sheriff of Arkansas county.	11 12	
July 27, 1849,	To amount paid by Chas. J. Krebbs, in full of note executed by him to the Bank, in 1848,	473 62	
Jan'y 11, 1850,	To Specie received from Crabtree, for rent,	20 00	
Feb'y 4, 1850,	" " " " T. D. Merrick, for copying press,	15 00	
Feb'y 4, 1850,	" " " " L. B. Fort, for cost,	4 52	
Jan'y 21, 1850,	" " " " S. M. Rutherford, for cost,	6 00	
May 28, 1850,	" " " " W. C. Trice, for cost,	10 41	
May 28, 1850,	" " " " W. D. Ferguson, by Sheriff of Crittenden county,	80 13	
May 28, 1850,	" " " " Jos. Scott, for cost,	9 22	846 50
Oct'r 1, 1850,	" *Specie* due me this day by the Bank,—being the amount paid out, over the amount received,		7 38
			$853 88

DATE.	EXPENDITURES.		
July 28, 1849,	By amount paid C. A. Downer for stationery, got by Thornton, late Receiver,	$ 8 00	
Aug. 15, 1849,	" " " Gen Geo. W. Clarke, Bank Agent, to bear expenses,	100 00	
Oct'r 15, 1849,	" " " same	60 00	
Oct'r 18, 1849,	" " " D. W. Carroll, as Bank Attorney, to bear travelling expenses,	50 00	
Jan'y 23, 1850,	" " " Cost to A. Alexander, Sheriff of Independence county, for Batesville Branch	32 50	
Jan'y 23, 1850,	" " " for Stationery for W. C. Bevens, Attorney at Batesville,	25 03	
Jan'y 23, 1850,	" " " for postage for same same same.	9 60	
Sept'r 4, 1849,	" " " Steam Boat. "*J. B. Gordon*" for freight, on the Books of the Fayetteville Branch Bank,	2 00	
	" Repairs on Bank House and fence, and material furnished,	197 00	
	" amount of cost paid on fee bills,	271 55	
	" amount paid for Stationery, and printing blanks,	47 88	
	" amount paid for postage at the Principal Bank, from the 6th April, 1849, to the 1st October, 1850,	50 32	$853 88
			$853 88

RECEIVER'S OFFICE, STATE BANK,
LITTLE ROCK,
October 1st. 1850.

JOHN M. ROSS,
Financial Receiver.